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LEGISLATIVE HISTORY

Public Law 600--79th Congress

Chapter 722--2d Session

H. R. 6533

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DIGEST OF PUBLIC LAW 600

FACILITATION OF ADMINISTRATIVE OPERATIONS. Authorizes transportation of employees, their families, and their household goods and personal effects in connection with station transfers, including interdepartmental transfers, within prescribed limits, on a commutation basis. Authorizes payment of 2 cents milage for official use of private motorcycles and 5 cents for private automobiles or airplanes away from official stations, and 2 cents for motorcycles and 4 cents for automobiles within official stations. Permits per-diem allowances in connection with foreign travel when such allowances are authorized in an appropriation or other act. Authorizes travel and per-diem allowances to consultants or experts away from their homes or places of business. Permits payment of transportation at higher than the lowest first-class rates when required for security or when lowest first-class rates are not available. Authorizes payment of travel of new appointees, and transportation of their household goods and personal effects, from their homes to places of employment outside continental U. S. and return. Permits sale or exchange of similar items in connection with purchase of vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, and the application of proceeds to the purchase. permits open-market purchasing when the amount does not exceed \$100, when public exigencies require immediate delivery, when only one source is available, or when the services are to be performed by the contractor in person under Government supervision and paid for on a time basis, and in general makes the advertising provisions also applicable to sales. Entitles witnesses summoned before departments to

the same fees, mileage, and expenses as provided for U. S. court witnesses. Permits advances of public money when authorized by an appropriation or other act. Authorizes department heads to delegate their powers regarding employment, direction, and general administration of personnel; their authority to direct purchases from contingent funds; and authority to authorize publication of advertisements, notices, or proposals. Permits purchase and maintenance of special protective clothing and equipment. Authorizes payment of cash or honor awards, within limitations, to employees and others for suggestions or inventions resulting in improvement or economy in Government operation; payments to be made from the appropriation for the activity primarily benefiting or distributed among appropriations for activities benefiting as the head of the department determines. Authorizes department heads, when specifically authorized in an appropriation or other act, to procure temporary or intermittent services of organizations of experts or consultants by contract, without regard to the civil service and classification laws or the requirement regarding bids. In general, requires specific authority for purchase or operation of automobiles and aircraft. In general, prohibits non-official use of automobiles and aircraft. Requires identification to be conspicuously imprinted on official vehicles in D. C. Requires the budget to include various data regarding vehicle purchases. Repeals certain requirements regarding advertisements in D. C. newspapers.

INDEX AND SUMMARY OF HISTORY ON H. R. 6533

April 12, 1945	H. R. 2869 was introduced by Rep. Manasco and was referred to the House Committee on Expenditures in the Executive Departments. Print of the bill as introduced. (Similar bill).
November 5, 1945	H. R. 4586 was introduced by Rep. Manasco and was referred to the House Committee on Expenditures in the Executive Departments. Print of the bill as introduced. Digest of bill. (Similar bill).
February 12, 1946	Committee Print. Report and analysis by the Comptroller General of the U. S. on H. R. 4586.
February 13, 1946	Hearings: House, H. R. 4586.
May 23, 1946	H. R. 6533 was introduced by Rep. Manasco and was referred to the House Committee on Expenditures in the Executive Departments. Print of the bill as introduced. Comparison of H. R. 6533 and H. R. 4586.
May 29, 1946	House Committee reported H. R. 6533 without amendment. House Report 2186. Print of the bill as reported.
June 3, 1946	Debated in House and passed as reported.
June 4, 1946	H. R. 6533 was referred to the Senate Committee on Expenditures in the Executive Departments. Print of the bill as referred.
July 2, 1946	Senate Committee reported H. R. 6533 with amendments. Senate Report 1636. Print of the bill with Senate amendments.
July 17, 1946	Debated in the Senate and passed with amendments.
July 26, 1946	House concurred in Senate amendments.
August 2, 1946	Approved. Public Law 600.

79TH CONGRESS
1ST SESSION

H. R. 2869

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 1945

Mr. MANASCO introduced the following bill; which was referred to the Committee on Expenditures in the Executive Departments

A BILL

To provide uniform allowances for the transportation of civilian officers and employees, their families, and effects, upon permanent transfer from one official station to another or from one Federal agency to another.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, under such regulations as the President may prescribe,
4 any civilian officer or employee of the United States who,
5 in the interest of the Government, is transferred from one
6 official station to another or from one department, inde-
7 pendent establishment, or agency to another in a different
8 locality, for permanent duty, shall, except as otherwise
9 provided herein, when authorized by such responsible officer

1 or officers of the department concerned as the head thereof
2 may designate for that purpose, in the order directing the
3 travel, be allowed and paid from Government funds the ex-
4 penses of travel of himself and the expenses of transportation
5 of his immediate family and the expenses of transportation,
6 packing, crating, temporary storage, drayage, and unpacking
7 of his household goods and personal effects (not to exceed
8 seven thousand pounds net or the equivalent thereof when
9 transportation charges are based on cubic measurement) :
10 *Provided*, That the allowances herein authorized shall not
11 be applicable to civilian employees of the War Department
12 and their dependents when transferred under the provisions
13 of section 3 of Public Law 580, approved June 5, 1942,
14 nor to officers and employees of the Foreign Service, De-
15 partment of State: *Provided further*, That no part of the
16 transportation expenses of any civilian officer or employee of
17 the Government, his family, or effects (including officers
18 and employees of the Foreign Service, Department of State),
19 shall be allowed or paid from Government funds where the
20 transfer is made at the request and primarily for the con-
21 venience or benefit of the officer or employee.

22 SEC. 2. In lieu of the payment of actual expenses of
23 transportation, packing, crating, temporary storage, dray-
24 age, and unpacking of household goods and personal effects,
25 in the case of such transfers between points in the continental

1 United States, reimbursement shall be made to the officer
2 or employee on a commuted basis not to exceed the amount
3 which would be allowable for the authorized weight allow-
4 ance at such rate per one hundred pounds as may be fixed
5 by zones, in regulations to be prescribed by the President:
6 *Provided*, That funds may be advanced to civilian officers
7 and employees in such cases subject to the provisions of
8 section 8 of the Subsistence Expense Act of June 3, 1926.

9 SEC. 3. Funds available for the expenses of travel of
10 civilian officers and employees shall also be available for
11 the expenses of their travel and for the transportation of their
12 immediate families, and funds available for the transportation
13 of things shall also be available for the transportation of
14 household goods and effects, as authorized by this Act.

15 SEC. 4. This Act shall become effective after sixty days
16 following the date of its approval. Upon the effective date
17 of this Act the Transportation Allowance Act of October
18 10, 1940 (54 Stat. 1105, ch. 848), shall be and the same
19 is hereby repealed.

A BILL

To provide uniform allowances for the transportation of civilian officers and employees, their families, and effects, upon permanent transfer from one official station to another or from one Federal agency to another.

By Mr. MANASCO

APRIL 12, 1945

Referred to the Committee on Expenditures in the
Executive Departments

OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section

79th-1st, No. 196

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued November 8, 1945, for actions of Wednesday, November 7, 1945)

(For staff of the Department only)

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HIGHLIGHTS: Rep. Rankin described cotton-farming problems. Rep. Miller criticized continued drafting of farm labor. President signed bill authorizing alcohol plants to produce sugars and sirups.

HOUSE

1. COTTON; WOOL; FARM INCOME. Rep. Rankin, Miss., in condemning prevalent strikes, discussed the cotton and wool situations, farm incomes, Government-controlled power, and sugar-beet production (pp. 10639-45).
2. FARM LABOR; SELECTIVE SERVICE. Rep. Miller, Nebr., urged discontinuance of the draft and stated, "Essential farm help is being taken" (p. 10635).
3. CENTRAL VALLEY PROJECT; RECLAMATION. H. Doc. 371 (see Digest 194) contains a supplemental appropriation estimate of \$6,000,000 for Interior's Reclamation Bureau for work on the Friant-Kern canal in the Central Valley project, Calif., "due to the critical situation resulting from the increasing depletion of ground water supplies."

SENATE

NOT IN SESSION. Next meeting Thurs., Nov. 8.

ITEMS IN APPENDIX

4. WATER UTILIZATION; FOREIGN AFFAIRS. Extension of remarks of Rep. Sheppard, Calif., urging further consideration of the Mexican Water Treaty and including Engineer Adolfo Orive Alba's (Mexican National Irrigation Commission) statement on the subject (pp. A5105-11).
5. PRICE CONTROL. Rep. Vursell, Ill., inserted his address urging the preservation of the American form of Government and elimination of price controls (pp. A5113-5).
Extension of remarks of Rep. Pittenger, Minn., criticizing OPA's price policies (p. A5117).
6. ST. LAWRENCE SEAWAY. Rep. Biemiller, Wis., inserted a Milwaukee City Common Council resolution and H.C. Brockel's (Milwaukee's Port Director) address favoring this project (pp. A5120, A5118-9).
Extension of remarks of Rep. Wasielewski, Wis., favoring this project (p. A5119).

BILLS INTRODUCED

7. PERSONNEL; LEAVE. H. R. 4613, by Rep. Patterson, Calif., relating to vacations for persons employed on Federal-aid highways. To Roads Committee. (p. 10646.)
8. ADMINISTRATION. H.R. 4612, by Rep. Hoffman, Mich., to enable and to expedite the business of the Federal Government. To District of Columbia Committee. (p. 10646.)
9. ST. LAWRENCE SEAWAY. H. J. Res. 270, Rep. Wasielewski, Wis., approving the agreement between the U.S. and Canada relating to the Great Lakes-St. Lawrence Basin. To Rivers and Harbors Committee. (p. 10646.)
10. ADMINISTRATIVE EXPENSES. H. R. 4586 (see Digest 194) provides the following as permanent legislation: Authorizes transportation of employees, their families, and their household goods and personal effects in connection with station transfers, including interdepartmental transfers. Authorizes payment of 2 cents mileage for official use of private motorcycles and 5 cents for private automobiles or airplanes away from or within official stations. Permits per-diem allowances in connection with foreign travel when such allowances are authorized in an appropriation or other act. Authorizes travel and per-diem allowances to consultants or experts away from their homes or places of business. Permits payment of transportation at higher than the lowest first-class rates when required for security or when lowest first-class rates are not available. Authorizes payment of travel of new appointees, and transportation of their household goods and personal effects, from their homes to places of employment outside continental U.S., and return. Permits sale or exchange of similar items in connection with purchase of vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, and the application of proceeds to the purchase. Permits open-market purchasing when the amount does not exceed \$100, when public exigencies require immediate delivery, when only one source is available, or when the services are to be performed by the contractor in person under Government supervision and paid for on a time basis. Entitles witnesses before departments to the same fees, mileage, and expenses as provided for U.S.-court witnesses. Permits advances of public money when authorized by an appropriation or other act. Authorizes department heads to delegate their powers regarding employment, direction, and general administration of personnel; their authority to direct purchases from contingent funds; and authority to authorize publication of advertisements, notices, or proposals. Permits purchase and maintenance of special protective clothing and equipment. Authorizes payment of cash awards to employees and others for suggestions or inventions resulting in improvement or economy in Government operation, when such awards are authorized in an appropriation or other act. Permits expenditures for entertainment when authorized by an appropriation or other law. Permits exemptions from the limitation on rental and repair of buildings used by the Government, when specified in an appropriation or other law. Authorizes department heads, when specifically authorized in an appropriation or other act, to procure temporary or intermittent services of experts or consultants by contract, without regard to the civil service and classification laws or the requirement regarding bids. Repeals \$100-newspaper-purchase limitation. Repeals prohibition against purchase of law books, periodicals, etc., from any appropriation made for contingent expenses. Repeals certain requirements regarding advertisements in D.C. newspapers. Repeals requirement for authority to maintain, drive, repair, and operate passenger-carrying vehicles.

COMMITTEE HEARINGS ANNOUNCEMENTS for Nov. 8: S. Civil Service, Federal pay bill; S. Agriculture and Forestry, farm parity prices; H. Labor, minimum wage bills; H. Military Affairs, military training; H. Postwar Economic Policy and Planning, removal of war-time controls.

79TH CONGRESS
1ST SESSION

H. R. 4586

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 5, 1945

Mr. MANASCO introduced the following bill; which was referred to the Committee on Expenditures in the Executive Departments

A BILL

To authorize certain administrative expenses in the Government service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) under such regulations as the President may
4 prescribe, any civilian officer or employee of the Govern-
5 ment who, in the interest of the Government, is transferred
6 from one official station to another, including transfer from
7 one department to another, for permanent duty, shall, except
8 as otherwise provided herein, when authorized, in the order
9 directing the travel, by such subordinate official or officials
10 of the department concerned as the head thereof may
11 designate for the purpose, be allowed and paid from Gov-

1 ernment funds the expenses of travel of himself and the
2 expenses of transportation of his immediate family and the
3 expenses of transportation, packing, crating, temporary stor-
4 age, drayage, and unpacking of his household goods and
5 personal effects (not to exceed seven thousand pounds if
6 uncrated or eight thousand seven hundred and fifty pounds
7 if crated or the equivalent thereof when transportation
8 charges are based on cubic measurement) : *Provided*, That
9 advances of funds may be made to the officer or employee
10 in accordance with said regulations: *Provided further*, That
11 the allowances herein authorized shall not be applicable to
12 civilian employees of the War Department and their depend-
13 ents when transferred under the provisions of section 3 of
14 the Act of June 5, 1942 (50 U. S. C. 763), nor to officers
15 and employees of the Foreign Service, Department of State:
16 *Provided further*, That no part of such expenses (including
17 those of officers and employees of the Foreign Service,
18 Department of State) shall be allowed or paid from Gov-
19 ernment funds where the transfer is made primarily for the
20 convenience or benefit of the officer or employee: *Provided*
21 *further*, That in case of transfer from one department to
22 another such expenses shall be payable from the funds of
23 the department to which the officer or employee is trans-
24 ferred.

25 (b) In lieu of the payment of actual expenses of

1 transportation, packing, crating, temporary storage, dray-
2 age, and unpacking of household goods and personal effects,
3 in the case of such transfers between points in continental
4 United States, reimbursement shall be made to the officer
5 or employee on a commuted basis at such rates per one
6 hundred pounds as may be fixed by zones in regulations
7 prescribed by the President.

8 (c) Funds available for travel expenses of civilian
9 officers and employees shall also be available for the ex-
10 penses of the transportation of their immediate families, and
11 funds available for the transportation of things shall also be
12 available for the transportation of household goods and
13 effects, as authorized by this Act.

14 SEC. 2. The Act of October 10, 1940 (5 U. S. C.
15 73c-1), relating to allowances for the transportation of
16 household goods, and section 5 of the Act of March 4, 1923,
17 as amended (19 U. S. C. 48), relating to traveling and
18 subsistence expenses of customs officers and employees, and
19 the first sentence of section 645 (a) of the Tariff Act of
20 1930 (19 U. S. C. 1645 (a)), relating to traveling and
21 subsistence expenses of the families of such officers and
22 employees, are hereby repealed.

23 SEC. 3. The Act of February 14, 1931 (5 U. S. C.
24 73a), as amended, is further amended to read as follows:

25 "Civilian officers or employees or others rendering serv-

1 ice to the Government shall, under regulations prescribed
2 by the President, and unless otherwise provided in the
3 appropriation concerned or other law, and whenever such
4 mode of transportation is authorized as more advantageous
5 to the Government, be paid in lieu of actual expenses of
6 transportation not to exceed 2 cents per mile for the use
7 of privately owned motorcycles or 5 cents per mile for the
8 use of privately owned automobiles or airplanes when en-
9 gaged in necessary travel on official business away from
10 their designated posts of duty or places of service, or when
11 used on official business within the limits of their official
12 stations or places of service. In addition to the mileage
13 allowances provided for in this section, there may be allowed
14 reimbursement for the actual cost of ferry fares and bridge,
15 road, and tunnel tolls.”

16 SEC. 4. When specifically authorized in an appropria-
17 tion or other Act, appropriations available for travel expenses
18 shall be available for the payment, without regard to the
19 Subsistence Expense Act of 1926, as amended (5 U. S. C.
20 821-833), of per diem allowances in lieu of subsistence
21 expenses to civilian officers and employees of departments
22 while traveling on official business outside continental United
23 States and away from their designated posts of duty: *Pro-*
24 *vided*, That the amount of such allowances shall be deter-
25 mined by the head of the department concerned or by

1 such subordinates as he may designate for the purpose, but
2 shall in no case exceed the maximum established by regula-
3 tions prescribed by the President for the locality in which
4 the travel is performed.

5 SEC. 5. Persons in the Government service employed
6 intermittently as consultants or experts and receiving compen-
7 sation on a per diem when actually employed basis may
8 be allowed travel expenses while away from their homes
9 or regular places of business, including per diem in lieu
10 of subsistence while at place of such employment, in ac-
11 cordance with the Standardized Government Travel Regula-
12 tions, Subsistence Expense Act of 1926, as amended (5
13 U. S. C. 821-833), and the Act of February 14, 1931, as
14 amended by this Act, and persons serving without compen-
15 sation or at \$1 per annum may be allowed, while away
16 from their homes or regular places of business, transporta-
17 tion in accordance with said regulations and said Act of
18 February 14, 1931, as so amended, and not to exceed
19 \$10 per diem in lieu of subsistence en route and at place
20 of such service or employment.

21 SEC. 6. Section 10 of the Act of March 3, 1933 (5
22 U. S. C. 73b), is hereby amended to read as follows:

23 "SEC. 10. Whenever by or under authority of law
24 actual expenses for transportation may be allowed, such al-

1 lowances shall not exceed the lowest first-class rate by the
2 transportation facility used in such transportation unless it
3 is established, in accordance with regulations prescribed
4 by the President, that lowest first-class accommodations are
5 not available or that use of a compartment or such other
6 accommodations as may be authorized or approved by the
7 head of the agency concerned or such subordinates as he
8 may designate, are required for purposes of security.”

9 SEC. 7. Appropriations for the departments (other than
10 those for the Foreign Service of the State Department) shall
11 be available, in accordance with regulations prescribed by
12 the President, for expenses of travel of new appointees,
13 expenses of transportation of their immediate families and
14 expenses of transportation of their household goods and per-
15 sonal effects from places of actual residence at time of
16 appointment to places of employment outside continental
17 United States, and for such expenses on return of employees
18 from their posts of duty outside continental United States to
19 the places of their actual residence at time of assignment to
20 duty outside the United States: *Provided*, That such ex-
21 penses shall not be allowed new appointees unless and until
22 the person selected for appointment shall agree in writing
23 to remain in the Government service for the twelve months
24 following his appointment, unless separated for reasons
25 beyond his control. In case of a violation of such agreement

1 any moneys expended by the United States on account of
2 such travel and transportation shall be considered as a debt
3 due by the individual concerned to the United States.

4 SEC. 8. In purchasing motor-propelled or animal-drawn
5 vehicles or tractors, or road, agricultural, manufacturing, or
6 laboratory equipment, or boats, or parts, accessories, tires, or
7 equipment thereof, the head of any department or his duly
8 authorized representative may exchange or sell similar items
9 and apply the exchange allowances or proceeds of sales in
10 such cases in whole or in part payment therefor: *Provided*,
11 That any transaction carried out under the authority of this
12 section shall be evidenced in writing.

13 SEC. 9. Section 3709 of the Revised Statutes of the
14 United States, as amended, is hereby further amended to
15 read as follows:

16 "Unless otherwise provided in the appropriation con-
17 cerned or other law, purchases and contracts for supplies
18 or services for the Government may be made or entered
19 into only after advertising a sufficient time previously for
20 proposals, except (1) when the amount involved in any
21 one case does not exceed \$100, (2) when the public
22 exigencies require the immediate delivery of the articles
23 or performance of the service, (3) when only one source
24 of supply is available and the Government purchasing or
25 contracting officer shall so certify, or (4) when the services

1 are to be performed by the contractor in person, under Gov
2 ernment supervision, and paid for on a time basis.”

3 SEC. 10. Whenever a department is authorized by law
4 to hold hearings and to subpoena witnesses for appearance
5 at said hearings, witnesses attending such hearings shall be
6 entitled to the same fees and mileage, or expenses in the
7 case of Government officers and employees, as provided by
8 law for witnesses attending in the United States courts.

9 SEC. 11. The first sentence of section 3648 of the
10 Revised Statutes (31 U. S. C. 529) is hereby amended
11 to read as follows:

12 “No advance of public money shall be made in any case
13 unless authorized by the appropriation concerned or other
14 law.”

15 SEC. 12. The head of any department may delegate
16 to subordinate officials (1) the power vested in him by
17 other law to take final action on matters pertaining to the
18 employment, direction, and general administration of per-
19 sonnel under his department; (2) the authority vested in
20 him by section 3683 of the Revised Statutes (31 U. S. C.
21 675) to direct the purchase of articles from contingent funds;
22 and (3) the authority vested in him by section 3828, Re-
23 vised Statutes (44 U. S. C. 324), to authorize the publica-
24 tion of advertisements, notices, or proposals.

25 SEC. 13. Appropriations available for the procurement

1 of supplies and material or equipment shall be available for
2 the purchase and maintenance of special clothing and equip-
3 ment for the protection of personnel in the performance of
4 their assigned tasks.

5 SEC. 14. Whenever authorized in the appropriation con-
6 cerned or other law, payment of cash rewards may be
7 made to officers and employees of the United States and to
8 persons in civil life for suggestions or inventions resulting in
9 improvement or economy in the operation of the Govern-
10 ment.

11 SEC. 15. Whenever authorized in the appropriation
12 concerned or other law, expenditures may be made for
13 entertainment.

14 SEC. 16. Exemptions from that part of the Act of March
15 2, 1913 (40 U. S. C. 36), and from section 322 of the Act
16 of June 30, 1932, as amended (40 U. S. C. 278a), limiting
17 the amount which may be paid for the rental and repair of
18 buildings to be occupied for Government purposes, are hereby
19 authorized when so specified in the appropriation concerned
20 or other law.

21 SEC. 17. The head of any department, when specifically
22 authorized in an appropriation or other Act, may procure
23 the temporary (not in excess of one year) or intermittent
24 services of experts or consultants, including stenographic and
25 reporting services, by contract, and in such cases such service

1 shall be without regard to the civil-service and classification
2 laws and in case of stenographic and reporting services, with-
3 out regard to section 3709, Revised Statutes, as amended
4 by this Act.

5 SEC. 18. Section 4 of the Act of February 3, 1905 (5
6 U. S. C. 77), is amended by striking out therefrom the words
7 “maintaining, driving, or operating” appearing immediately
8 after the word “purchasing,” and section 5 of the Act of
9 July 16, 1914 (5 U. S. C. 78), is amended by striking there-
10 from the words “maintenance, repair, or operation” appearing
11 immediately after the word “purchase”.

12 SEC. 19. The following statutes or parts of statutes are
13 hereby repealed:

14 Sections 192 and 1779 of the Revised Statutes (5
15 U. S. C. 102) ;

16 Section 3 of the Act of March 15, 1898 (31 U. S. C.
17 678) ;

18 That portion of the Act of July 31, 1876 (19 Stat. 105),
19 reading as follows: “and in no case of advertisement for con-
20 tracts for the public service shall the same be published in
21 any newspaper published and printed in the District of Co-
22 lumbia unless the supplies or labor covered by such advertise-
23 ment are to be furnished or performed in said District of
24 Columbia” (44 U. S. C. 321) ;

25 The Act of January 21, 1881 (44 U. S. C. 323) .

1 SEC. 20. The word "department" as used in this Act
2 shall be construed to include independent establishments,
3 other agencies, Government-owned or Government-controlled
4 corporations operating as agencies of the Government, and the
5 government of the District of Columbia, and the words "con-
6 tinental United States" as used herein shall be construed to
7 mean the forty-eight States and the District of Columbia,
8 and the word "Government" shall be construed to include
9 the government of the District of Columbia.

10 SEC. 21. Sections 1, 3, 4, 5, 7, 14, and 17 of this Act
11 shall not apply to persons whose pay and allowances are
12 established by the Pay Readjustment Act of 1942.

13 SEC. 22. Sections 1 and 2 of this Act shall become effec-
14 tive on the first day of the third calendar month following
15 the enactment hereof.

A BILL

To authorize certain administrative expenses
in the Government service, and for other
purposes.

By Mr. MANASCO

NOVEMBER 5, 1945

Referred to the Committee on Expenditures in the
Executive Departments

[COMMITTEE PRINT]

HOUSE COMMITTEE ON EXPENDITURES IN THE
EXECUTIVE DEPARTMENTS

REPORT AND ANALYSIS

BY THE

COMPTROLLER GENERAL
OF THE UNITED STATES

ON

H. R. 4586

(79th Congress)

A BILL TO AUTHORIZE CERTAIN ADMINISTRATIVE
EXPENSES IN THE GOVERNMENT SERVICE,
AND FOR OTHER PURPOSES



Printed for the use of the
Committee on Expenditures in the Executive Departments

UNITED STATES
GOVERNMENT PRINTING OFFICE

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REPORT AND ANALYSIS BY THE COMPTROLLER GENERAL OF THE UNITED STATES

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington 25, February 12, 1946.

HON. CARTER MANASCO,
*Chairman, Committee on Expenditures in the
Executive Departments, House of Representatives.*

MY DEAR MR. CHAIRMAN: Further reference is made to your letter of November 9, 1945, acknowledged November 14, requesting a report on H. R. 4586, Seventy-ninth Congress, entitled, "A bill to authorize certain administrative expenses in the Government service, and for other purposes."

The principal purpose of the bill is the enactment of certain provisions as permanent legislation, which, although of a general and permanent nature, hitherto have been included in appropriation acts. With that purpose I am in full accord. In that connection, see the statement of the chairman of the House Committee on Appropriations in the Congressional Record for March 23, 1945, at page 2671. See, also, Bureau of the Budget Bulletin No. 1944-45:10, dated March 28, 1945, on the subject of Legislation in Appropriation Language.

Also, a number of permanent statutes, comprising an important segment of the body of legislative guides and rules for the conduct of the Government's business, are proposed to be revised or repealed. The enforcement of these directions by Congress is a prime objective of the audit of Government disbursements by the General Accounting Office; their importance in the field of congressional control upon the public purse is manifest. I hope that the committee will have full opportunity to consider carefully the purpose and effect of each suggested change, and I should be glad to designate representatives from the General Accounting Office to appear and testify, upon call, if hearings on the bill are contemplated, and to render assistance in any other way if required.

SECTIONS 1-7: TRAVEL EXPENSE PROVISIONS

The first seven sections of the bill relate to travel and transportation expenses and per diem allowances of Government officers and employees, the first two sections being similar to H. R. 2869, Seventy-ninth Congress, which you will recall introducing, following a suggestion by this office. See my report thereon to you under date of April 23, 1945. The first section makes provision for the payment of the travel expenses of a civilian employee, transportation of the members of his immediate family, and the shipment of his household effects (or a lump-sum payment in lieu thereof) upon transfer from one official

station to another for permanent duty. The present law with respect to those three items is as follows:

(1) The travel expenses of the employee himself are paid, but (with a certain few exceptions) the specific statutory provisions governing the matter are contained only in an annual appropriation act—usually the Independent Offices Appropriation Act.

(2) With a very few exceptions, such as the foreign service, Department of State, the dependent families of civilian employees (as distinguished from employees of the military forces) were not, prior to the present fiscal year, transferred with the employee at Government expense, and when they traveled to the employee's new station they did so only at their own expense. Provision for such payment during the fiscal year 1946 is contained in the Independent Offices Appropriation Act, section 201 (a), approved May 3, 1945.

(3) Within certain limits, the household effects of an employee of the executive branch of the Government are shipped to his new station at Government expense under the present law, or reimbursement is made on the basis of the actual costs incurred.

The changes to be effected by the first two sections of H. R. 4586, and the reasons therefor, are briefly as follows:

(1) *The authorization for the transfer.*—With respect to the travel expenses of the employee himself, it no longer would be required that the expenditure be authorized personally by the head of the department (or an assistant head) prior to the actual trip (as the law now requires) or otherwise. Instead, a delegation of that function to a responsible official within the department would be permitted. This Office previously has pointed out that the existing requirement in this respect is unworkable and should be changed. (See the Annual Report of the Acting Comptroller General for the fiscal year 1939, at p. 83.) A similar but temporary and special provision was adopted for civilian employees of the War and Navy Departments and the Coast Guard in the act of February 21, 1942 (56 Stat. 97), and several others are now in force, but the general rule is as above stated.

(2) *Transfers between departments.*—The proposal for the payment of expenses in the case of transfers from one department or establishment to another (as distinguished from transfers within a single department or establishment) is new except for certain temporary war-service transfers. The proposal is believed to be proper in contemplation that each such case will be supported by some reasonable showing of a determination, within the department called upon to pay the expenses, that the transfer in fact primarily is for the benefit and convenience of the Government rather than of the employee.

(3) *Transportation of employee's family.*—As explained above, provision for payment of the expense of transportation but not per diem, for the members of the employee's immediate family (though limited generally to transfers entirely within one department and applicable only to the fiscal year 1946) is contained in section 201 of the Independent Offices Appropriation Act, 1946. The apparent increased costs as a result of such provisions will be reduced to the extent that the transferred family travels by private automobile—in which case the total expense of transportation would be no more than the standard 5 cents per mile. The tendency may be anticipated that employees owning automobiles will drive them to their new posts since the pending bill would leave in effect the present statute which,

with a few exceptions, prohibits the shipping of automobiles at Government expense as part of the household effects (sec. 209 of the act of June 30, 1932, 47 Stat. 405). However, in order to authorize mileage, instead of actual expenses only, in the case where the family follows by auto, the employee having first gone to the new post by rail or otherwise, the words "(or a commutation thereof in accordance with the act of February 14, 1931)" should be added in line 2 of page 2, after the word "family."

(4) *Lump-sum commutation for shipment of household goods.*—In the case of transfers between points within this country, the bill would effect a major change in the method of reimbursement for the cost of shipment of the household goods of the employee. The present statutes permit reimbursement based only upon the actual cost incurred in each case and (aside from a temporary, wartime amendment) the present regulations require that the most economical means of shipment be utilized. The present provisions, while generally accomplishing fair results, require an undue amount of effort and expense in their administration. Under the provisions of H. R. 4586, the employee would effect the shipment of his goods by whatever means he chose and the expense would be reimbursed or advanced to him in the form of a single payment based only upon the actual weight of the shipment and a uniform allowance rate per hundred pounds, prescribed by regulation, according to the distance involved. The proposed provisions would greatly simplify administration and would be more satisfactory to all concerned, with no perceptible increase in cost to the Government. Similar legislation to accomplish this purpose was recommended in the Annual Report of the Comptroller General for 1942, at pages 117 to 122. However, to insure that the commutation would be based on the weight of the goods actually shipped and that it would cover no greater weight than that for which the employee could be reimbursed the actual costs under the authorized weight allowances, it is recommended that there be inserted after "basis" in line 5 of page 3, the following: "not to exceed the amount which would be allowable for the authorized weight allowance."

(5) *Transfers outside the United States.*—In the case of transfers outside the United States (there being excluded, however, cases arising in the foreign service, which already are covered by adequate legislation), where only actual expenses are to be allowed, as at present, the bill would raise the net weight limit from the present 5,000 pounds to 7,000 pounds and add a new item for temporary storage of goods. This office offers no objection to such provision.

(6) *Advance of funds.*—The present laws permit an advance of funds for travel purposes only for the amount of anticipated per diem expenses in lieu of subsistence. The bill would authorize advances in cases of transfer of station which apparently would contemplate an amount sufficient to cover the entire expenses payable, including the commutation for the shipment of household goods. The provision appears to be desirable as a benefit to which an employee transferred in the interest of the United States should be entitled. However, since the amount may, in many cases, be considerable—well over \$1,000—it would seem entirely proper to require the same safeguards which now are required for advances for subsistence purposes; that is, the furnishing of a bond and an accounting for the funds. To that

end, it is suggested that the following be inserted on page 2, line 10, after the word "regulations":

under the same safeguards as are contained in the Subsistence Expense Act of 1926 (5 U. S. C. 828).

Section 2 of the bill would repeal the act of October 10, 1940 (5 U. S. C. 73c-1), relating to allowances for the transportation of household goods, section 5 of the act of March 4, 1923, as amended (19 U. S. C. 48), relating to traveling and subsistence expenses of customs officers and employees, and the first sentence of section 645 (a) of the Tariff Act of 1930 (19 U. S. C. 1645 (a)), relating to traveling and subsistence expenses of the families of such officers and employees, the objective of such repeal being to insure that the provisions of the pending bill would constitute the exclusive statutory authority relative to the matters included therein. Such repeals appear desirable. It may be thought well to consider whether certain other statutes, covering the same subject matter, should not also be repealed; for example, the act of February 21, 1942 (56 Stat. 97) (War, Navy, Coast Guard); the act of March 4, 1911 (5 U. S. C. 539), and section 710 of the act of September 21, 1944 (5 U. S. C. 514d) (Agriculture).

Section 3 of the bill would amend the Auto Mileage Act of February 14, 1931, as amended (5 U. S. C. 73a), so as to provide that civilian officers or employees or others rendering service to the Government shall, under the conditions specified therein, be paid in lieu of actual expenses of transportation not to exceed 2 cents per mile for use of privately owned motorcycles or 5 cents per mile for use of privately owned automobiles or airplanes, either within or without their places of service; also, the actual cost of ferry fares and bridge, road, and tunnel tolls. The most significant change proposed in the present law is to eliminate the need for a determination that the travel by auto on a mileage basis is more economical to the Government than travel by common carrier would be. The difference in costs is not ordinarily large, and I believe the problem safely can be left to administrative discretion in each case. To the same end, it may be thought well to insert "or approved" after the word "authorized" on line 4 of page 4, so as to permit subsequent approval where advance authorization was not obtained.

Less important changes effected by this section are those extending the mileage privilege to "others rendering service to the Government" and to transportation within the limits of the employees' official station or their places of service, as well as the payment, in addition to mileage, of bridge, etc., tolls and ferry fares. These latter changes are believed to be fair and desirable and would extend to all agencies provisions now applicable to some by virtue of annual appropriation acts.

Section 4 of the bill provides that when specifically authorized in an appropriation or other act, appropriations available for travel expenses shall be available for payment of per diem allowances in lieu of subsistence to official travelers outside continental United States at rates not in excess of those to be prescribed by regulations of the President, varying according to the foreign locality involved. This provision would be a permanent authorization of such payments as were authorized in section 207 of the Independent Offices Appropriation Act, 1946 (59 Stat. 133), and appears generally unobjectionable, but the language should be changed to preserve the application of the

Subsistence Expense Act, aside from the question of the amount. This could be accomplished by inserting before "Subsistence" in line 19, page 4, the words "rates provided in the".

Section 5 provides, in brief, that persons employed intermittently as consultants or experts and receiving compensation on a per diem when-actually-employed basis may be allowed travel expenses while away from their homes or regular places of business, including per diem in lieu of subsistence, and that persons serving without compensation or at \$1 per annum may be allowed transportation and not to exceed \$10 per diem in lieu of subsistence. These provisions are substantially similar to those contained in H. R. 5222 (78th Cong.) on which this office made a favorable report to you under date of August 31, 1944. By provisions in appropriation acts and otherwise, allowance of traveling expenses is authorized to some intermittently employed personnel and persons serving without compensation but not to others. Section 201 (d) of the Independent Offices Appropriation Act, 1946, makes similar provisions for such employees of executive departments and independent establishments for the fiscal year 1946. The purpose of section 5 of the pending bill apparently is the enactment in permanent form of provisions to equalize the payment of travel expenses and mileage to all such personnel in Government service. No objection is perceived to enactment of that section. However, the \$10 limitation is lower than that hitherto authorized for certain agencies—some of which may pay as much as \$25 per diem for expenses—and if such arrangements are to be preserved, the words "unless a higher rate is specifically provided by law," should be inserted on line 18, page 5, after the word "and".

Section 6 of the bill is as follows:

Section 10 of the Act of March 3, 1933 (5 U. S. C. 73b), is hereby amended to read as follows:

"SEC. 10. Whenever by or under authority of law actual expenses for transportation may be allowed, such allowances shall not exceed the lowest first-class rate by the transportation facility used in such transportation unless it is established, in accordance with regulations prescribed by the President, that lowest first-class accommodations are not available or that use of a compartment or such other accommodations as may be authorized or approved by the head of the agency concerned or such subordinates as he may designate, are required for purposes of security."

The present law—the 1933 statute referred to in the above-quoted section of the bill—was enacted as an economy measure and particularly was designed to curb any practice of using more expensive travel accommodations than were thought necessary (a drawing room or compartment, for example) (13 Comp. Gen. 10). It provides that such allowances shall not exceed the lowest first-class rate by the transportation facility used and it permits of no exception (23 Comp. Gen. 9). Under its provisions, a traveler is allowed the regular charge for a lower berth but not the excess charge for a compartment or other "superior accommodation," even though no Pullman single berth is available to him at time of departure. In the case of steamer travel, the effect of the existing statute is to limit the charges payable by the Government to the lowest rate charged by the particular steamer for what is regarded as a first-class stateroom accommodation, notwithstanding that in many cases no stateroom carrying that rate is available and, as a practical necessity, the traveler must occupy a more expensive space. The enactment of legislation similar to section 6

of the subject bill, authorizing payment for superior accommodations in certain cases, is believed to be desirable.

Section 7 provides that appropriations for the departments (other than those for the foreign service of the State Department) shall be available, in accordance with regulations prescribed by the President, for expenses of travel and transportation in the case of new appointees, for themselves, their families, and effects, from places of residence to places of employment outside continental United States, and for such expenses on return of "employees" from such places to their places of residence at time of assignment to duty abroad, on condition that such new appointees shall remain in the Government service for 1 year. It is intended, apparently, to insure that, in the case of positions abroad to be filled by citizens from this country, there would not be applied the general rule that an employee must bear the expenses of reporting to his first duty station and of returning to his home or place of engagement upon separation from the service (*Cf.* 13 Comp. Gen. 390; 16 *id.* 852; 19 *id.* 71; and *United States v. Lauer*, 50 F. Supp. 299). The foreign service, State Department, is excepted from section 7 apparently because special provision has been made with respect to such expenses in the foreign service appropriation acts over a period of years. The form of that exception should be changed by eliminating the parenthetical clause in lines 9 and 10 of page 6 and by adding at the end of section 7, "This section shall not apply to appropriations for the foreign service, State Department."

SECTIONS 8-9. GOVERNMENT PURCHASING

Section 8 provides that in purchasing boats, vehicles, laboratory equipment, etc., specified therein, the Department "may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor," such transactions to be evidenced in writing. The accounting officers of the Government have held uniformly that, in the absence of statutory authority similar to that proposed, the proceeds of a sale of used equipment must be deposited in the Treasury as miscellaneous receipts and the proper appropriation charged with the full price of new equipment. In 23 Comptroller General 931, there are discussed the purpose and effect of section 203 of the Independent Offices Appropriation Act, 1944, which is similar to section 8 of H. R. 4586. At page 933 of that decision, it is stated:

The purpose of the quoted provision in the Independent Offices Appropriation Act, 1944 (57 Stat. 195) is clearly set forth in a letter dated January 6, 1943, from the Director, Bureau of the Budget, to the chairman, Committee on Appropriations, House of Representatives (quoted on pp. 1177, et seq., of the House hearings on the independent offices appropriation bill, 1944), reading, in pertinent part, as follows:

"Section 7 [section 203 of the act] is a new general provision to authorize the exchange or sale of motor-propelled vehicles and certain other specified articles and the application of such exchange allowances or sales proceeds in whole or part payment for similar articles. Similar authority is contained in each of a number of appropriations and it is believed that the extension of the privilege to all agencies will avoid dislocation of their budgetary programs. The need for this general provision is due to the Comptroller General's ruling that under authority to exchange used equipment in the purchase of new, both cash bids and trade-in offers must be solicited for the used equipment, and if a cash bid exceeds the exchange allowance offered it must be accepted and the proceeds of sale deposited

in the Treasury as miscellaneous receipts and the proper appropriation charged with the full price of the equipment. Since the amount allowed in the appropriations for such articles is based on the estimated net cost thereof, the agency is unable to purchase the number contemplated where cash bids for used equipment exceed exchange allowances. The Comptroller General recognized this problem with respect to the authority of the Secretary of Agriculture and in his letter to that official dated October 6, 1941 (B-20182), suggested for consideration a provision which is substantially the same as now proposed for all agencies."

In view of the foregoing, this office perceives no objection to the enactment of section 8 of the bill.

Section 9 of the bill would amend section 3709, Revised Statutes, so as to provide, in brief, that, "Unless otherwise provided in the appropriation concerned or other law," purchases and contracts for supplies or services may be made or entered into only after advertising except (1) when the amount involved does not exceed \$100; (2) when the public exigencies require immediate delivery or performance; (3) when only one source of supply is available and the contracting officer so certifies; and (4) when services are to be performed by the contractor in person, under Government supervision and paid for on a time basis.

Section 3709, Revised Statutes, appears in 41 United States Code 5 as follows:

All purchases and contracts for supplies or services, in any of the departments of the Government, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles, or performance of the service. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract, at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals.

Numerous but widely varying exceptions (from \$25 to \$500) to section 3709 are contained in the act of October 10, 1940 (54 Stat. 1109), and it is the view of this office that there should be somewhat greater uniformity in such exceptions where practicable. In that connection, it was stated in the annual report of former Comptroller General Brown for the fiscal year 1939 (p. 90):

It requires no exercise of the imagination to understand the burden of inquiry which these constantly multiplying and varying exceptions [to sec. 3709, Revised Statutes] impose upon those who have business dealings with the Government as well as upon procurement, disbursing, and accounting officials. The more that procurement, disbursing, and accounting functions have become consolidated the less occasion there appears for indefinitely multiplying such varying exceptions and the more confusing such exceptions become. * * *

To accomplish that end, section 9 should be renumbered as section 9 (a) and a new subsection (b) added as follows:

Exemptions from section 3709, Revised Statutes, or other law in amounts of \$100 or less are hereby repealed.

It is to be noted that two of the exceptions contained in section 9 of the bill (namely, cases of exigency and cases involving personal service) are contained, also, in the existing section 3709, the only new, general exceptions being those involving amounts not to exceed \$100 and involving only one available source of supply. The proposed exceptions reasonably appear necessary, as a matter of practicality, and are not objected to. As to the cases of one source of supply only, it is understood that the contracting officer's certification of that conclusion will be supported by a brief statement of the facts and reasons on which it is based.

A more important change is suggested for the committee's consideration. In its specific wording, section 3709 never has included language clearly to cover the case of sales by the Government as distinguished from the more common case, sales to the Government. It has been the view of this office that the same rule should be applied, but it has been recognized that that view lacks a specific statutory sanction. (See the annual report of the Acting Comptroller General for the year 1937, at p. 67.) On principle, there is believed to be no distinction between purchases and sales, so far as concerns the fundamental need for prior advertising for bids in order that (1) the Government reasonably may expect to buy or sell at the best prices available and (2) any and all private dealers and suppliers may have an equal and impartial opportunity to participate in the Government's business. Accordingly, it is suggested that the pending bill be amended by adding the following new sentence at the end of line 2 on page 8:

Unless otherwise authorized by law, sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising, except when the reasonable value involved in any one case does not exceed \$100.

SECTION 10. WITNESSES BEFORE DEPARTMENTS

Section 10 would provide that witnesses attending authorized hearings by a department shall be entitled to "the same fees and mileage, or expenses in the case of Government officers and employees" as provided by law for witnesses in United States courts. Witnesses in United States courts are entitled to fees, etc., as provided by the act of December 24, 1942 (56 Stat. 1088). The proposed general provision finds precedent in certain statutes applying to particular agencies, and would bring uniformity in the allowance of fees and expenses to witnesses before governmental agencies. The proposal is thought to be proper and desirable, but to make clear that only witnesses who are called to testify are to be paid, the word "such" should be inserted in line 5 of page 8, before the word "witnesses".

SECTION 11. ADVANCES OF PUBLIC FUNDS

Section 11 would amend the first sentence of section 3648, Revised Statutes (31 U. S. C. 529), to read as follows, the new matter being here italicized:

No advance of public money shall be made in any case *unless authorized by the appropriation concerned or other law.*

Numerous exceptions to the basic statute are codified in 31 United States Code 529 to 529h, but no objection appears to the apparent purpose of the proposed amendment, which is to lay the foundation for particular exceptions from time to time to be contained in appropriation bills and not be subject to point of order.

SECTION 12. DELEGATION OF AUTHORITY

Section 12, among other things, would authorize the head of a department to delegate to subordinate officials his powers relative to employment, etc., of personnel. By the act of June 26, 1930 (46 Stat. 817), the head of a department may delegate to subordinates the power to employ persons for duty in the field service of his department, but the appointment of personnel for the departmental service

must be approved personally by the head of the department. (See H. Rept. No. 1397, 78th Cong., which accompanied the bill H. R. 1725 in the House of Representatives.) The Department of Agriculture has been granted such authority; whether the heads of executive departments and independent establishments or agencies of the Government generally should be authorized to delegate the power of appointment, etc., is primarily a matter of policy, but in view of the size to which the Government establishment has grown, such delegation is believed to be desirable and necessary in the interest of rapid and efficient administration.

Section 12 also would authorize the head of a department to delegate to subordinate officials the authority vested in him by section 3683, Revised Statutes (31 U. S. C. 675), to direct the purchase of articles from contingent funds. That law provides:

No part of the contingent fund appropriated to any department, bureau, or office, shall be applied to the purchase of any article except such as the head of the department shall deem necessary and proper to carry on the business of the department, bureau, or office, and shall, by written order, direct to be procured.

In 20 Comptroller General 27, it was held that the authority to obligate the contingent fund of the State Department could not be delegated to other than an assistant secretary.

Section 12 also would authorize the head of a department to delegate to subordinate officials the authority vested in him by section 3828, Revised Statutes (44 U. S. C. 324), to authorize the publication of advertisements, notices, or proposals. Section 3828 provides:

No advertisement, notice, or proposal for any Executive Department of the Government, or for any bureau thereof, or for any office therewith connected, shall be published in any newspaper whatever, except in pursuance of a written authority for such publication from the head of such department; and no bill for any such advertising, or publication, shall be paid, unless there be presented, with such bill, a copy of such written authority.

Both of the above provisions were enacted at a time when the Government establishment was small and the department head could review personally the routine operations under his control. In that view they now may be regarded as out of date, and their repeal is recommended.

SECTION 13. SPECIAL CLOTHING

Section 13 would provide that appropriations for supplies, materials, or equipment shall be available for purchase and maintenance of special clothing and equipment "for the protection of personnel in the performance of their assigned tasks." In 23 Comptroller General 831, it was said:

It is the established rule that the cost of special equipment to enable an employee to qualify himself to perform his official duties constitutes a personal expense of the employee and, as such, is not payable from appropriated funds. As a guide in determining whether any particular equipment is to be considered personal to the employee, the following rules were stated in 3 Comptroller General 433:

"In the absence of specific statutory authority for the purchase of personal equipment, particularly wearing apparel or parts thereof, the first question for consideration in connection with a proposed purchase of such equipment is whether the object for which the appropriation involved was made can be accomplished as expeditiously and satisfactorily, from the Government's standpoint, without such equipment. If it be determined that use of the equipment is necessary in the accomplishment of the purposes of the appropriation, the next question to be considered is whether the equipment is such as the employee reasonably could

be required to furnish as part of the personal equipment necessary to enable him to perform the regular duties of the position to which he was appointed or for which his services were engaged. Unless the answer to both of these questions is in the negative, public funds cannot be used for the purchase. In determining the first of these questions there is for consideration whether the Government or the employee receives the principal benefit resulting from use of the equipment and whether an employee reasonably could be required to perform the service without the equipment. In connection with the second question the points ordinarily involved are whether the equipment is to be used by the employee in connection with his regular duties or only in emergencies or at infrequent intervals and whether such equipment is assigned to an employee for individual use or is intended for and actually to be used by different employees."

Occasionally the Congress has enacted provisions authorizing expenditures in certain departments or establishments of the Government for special clothing, etc., for the benefit of personnel. This office would not be disposed to object to a general provision such as that now contained in section 13.

SECTION 14. AWARDS FOR SUGGESTIONS

Section 14 would provide that whenever authorized in an appropriation or other law cash rewards may be paid for suggestions or inventions resulting in improvement or economy in the operation of the Government. There are in existence a few statutes authorizing payment of cash awards for beneficial suggestions of officers or employees of specified governmental departments or agencies. (See the act of July 17, 1912, 37 Stat. 193 (Ordnance Department); act of July 1, 1918, 40 Stat. 718 (Navy Department); act of March 13, 1944, 58 Stat. 115 (Maritime Commission and War Shipping Administration); act of June 26, 1944, 58 Stat. 360 (Department of the Interior); act of July 3, 1945, Public Law 126, 79th Cong. (War Department); and act of December 3, 1945, Public Law 240, 79th Cong. (Post Office Department).)

It is understood that such statutes have proved to be of value in the administration of the agencies mentioned, and it appears justifiable to anticipate that a similar and uniform provision for all agencies would be found even more beneficial and in the interests of the Government. At the request of the Director of the Bureau of the Budget, I commented on a draft of a proposed bill to accomplish this purpose, in letter of November 21, 1944, B-45751, copies of which are enclosed for the use of your committee. However, the language of section 14 of H. R. 4586 differs in several material particulars from that of the draft referred to, especially in authorizing rewards to persons in civil life and in extending the authorization of rewards to cases of inventions as well as suggestions, thereby giving rise to possible questions as to the respective rights of the Government and the employee to the invention. (See 35 U. S. C. 45, 68.) In the absence of a clear exposition of the reasons for the use of the language employed in section 14 rather than that in the draft previously reported upon, this office has no comment on that section other than to renew certain suggestions in the previous report, to which attention is invited.

SECTION 15. ENTERTAINMENT EXPENSES

Section 15 provides that whenever authorized in the appropriation concerned or other law expenditures may be made for entertainment. Such provision appears to be unobjectionable and for the same purpose as section 11, as to which see the comment above.

SECTION 16. RENTAL RATE LIMITATIONS

Section 16 would authorize exemptions from the statutory provisions specified therein limiting the amount which may be paid for rental and repair of buildings to be occupied for Government purposes. That part of the act of March 2, 1913 (40 U. S. C. 36), referred to in section 16, limits the rental to be paid for modern fireproof storage accommodations within the District of Columbia to a maximum of \$0.25 per square foot. Section 322 of the act of June 30, 1932, as amended (40 U. S. C. 278a), also referred to, limits rentals exceeding \$2,000 per annum to a maximum of 15 percent of the fair market value of the rented premises and limits expenditures for alterations, improvements, and repairs to a maximum of 25 percent of the rent for the first year or for the rental term if less than 1 year.

The purpose and general effect of these statutory provisions are to restrict expenditures for rentals, etc., to amounts regarded by the Congress as reasonable, and the enactment of section 16 would leave in effect the existing restrictions unless specifically provided otherwise by the Congress or in an appropriation act or other law. (See, in general, my comments on sec. 11, above.)

SECTION 17. HIRE OF EXPERTS OR CONSULTANTS

Section 17 would provide that the head of a department, when specifically authorized in an appropriation or other act, may procure temporary or intermittent service of experts or consultants, including stenographic and reporting services, by contract without regard to the civil-service and classification laws and, in case of stenographic and reporting services, without regard to section 3709, Revised Statutes, as amended. Similar provisions have been included in appropriation acts in numerous instances and, so far as this office is concerned, there is not believed to be any substantial objection to the enactment of such a general provision, but there should be included a limitation or ceiling on the compensation payable to experts or consultants, as by inserting after the word "laws" in line 2 of page 10:

(but at rates not in excess of the per diem equivalent of the highest rate payable under the Classification Act, unless other rates are specifically provided in the appropriation or other law).

SECTION 18. AUTOMOBILES

Section 18 would amend section 4 of the act of February 3, 1905 (5 U. S. C. 77), by striking out the words "maintaining, driving, or operating" immediately after the word "purchasing" and would amend section 5 of the act of July 16, 1914 (5 U. S. C. 78), by striking out the words "maintenance, repair, or operation" immediately after the word "purchase". The former statute now provides, in pertinent part:

No part of any money appropriated by this or any other Act shall be used for purchasing, maintaining, driving, or operating any carriage or vehicle (other than those for the use of the President of the United States, the heads of Executive Departments, and the Secretary to the President, and other than those used for transportation of property belonging to or in the custody of the United States), for the personal or official use of any officer or employee of any of the Executive Departments or other Government establishments at Washington, District of Columbia, unless the same shall be specifically authorized by law or provided for in terms by appropriation of money * * *

The latter of the two statutes to be amended provides:

No appropriation made in this or any other Act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or other Government establishments or any branch of the Government service, unless specific authority is given therefor, and after the close of the fiscal year nineteen hundred and fifteen there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law, and in the estimates for the fiscal year nineteen hundred and sixteen and subsequent fiscal years there shall be submitted in detail estimates for such necessary appropriations as are intended to be used for purchase, maintenance, repair, or operation of all motor-propelled or horse-drawn passenger-carrying vehicles, specifying the sums required, the public purposes for which said vehicles are intended, and the officials or employees by whom the same are to be used.

It is to be noted that the words "maintenance, repair, or operation" appear twice in the said section 5, in each instance immediately after the word "purchase". Therefore, the language of the bill should be so amended as to make clear whether these words are to be struck out in both places.

However, equally important phases of the same subject matter are contained in the annual appropriation acts. (See sec. 202 of the Independent Offices Appropriation Act, 1946, 59 Stat. 131, placing limitations both upon the purchase price and upon maintenance expenses for automobiles.) There is not understood the purpose of what appears, in the present bill, to be a piecemeal approach to the revision of the legislative controls upon the entire subject matter, nor is it understood exactly what is intended to be accomplished. I would favor any effort to combine the several enactments, both old and current, into a single statute designed to meet current needs and conditions. (For example, should not the archaic terminology "motor-propelled, passenger-carrying vehicles" be revised and, perhaps, also, broadened to include aircraft now covered by sec. 203 of the Independent Offices Appropriation Act, 1946?) But it would not seem to be possible to draft a definite provision upon the subject until it be first understood what restrictions upon expenditures for purchase, rental, and upkeep of vehicles are needed and are practicable in the light of justifiable administrative needs. Upon what now appears, I would not be inclined to recommend the enactment of section 18.

SECTION 19. MISCELLANEOUS REPEALS

Section 19 would repeal certain statutes or parts of statutes specified therein, as follows:

(1) Sections 192 and 1779, Revised Statutes (5 U. S. C. 102): These sections as amended and published in the code provide:

The amount expended in any one year for newspapers, for any department, except the Department of State, including all the bureaus and offices connected therewith, shall not exceed \$100, except where otherwise specifically authorized by law. But the foregoing provision shall not apply to the subscriptions to newspapers by the military information division. No executive officer, other than the heads of departments, shall apply more than \$30, annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office.

(2) Section 3 of the act of March 15, 1898 (30 Stat. 316, 31 U. S. C. 678): It provides:

That hereafter lawbooks, books of reference, and periodicals for use of any Executive Department, or other Government establishment not under an Executive Department, at the seat of Government shall not be purchased or paid for from any appropriation made for contingent expenses or for any specific or general purpose unless such purchase is authorized and payment therefor specifically provided in the law granting the appropriation.

(3) That portion of the act of July 31, 1876 (19 Stat. 105, 44 U. S. C. 321), reading as follows:

and in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia * * *.

(4) The act of January 21, 1881 (21 Stat. 317, 44 U. S. C. 323), which reads:

That all advertising required by existing laws to be done in the District of Columbia by any of the departments of the government shall be given to one daily and one weekly newspaper of each of the two principal political parties and to one daily and one weekly neutral newspaper: *Provided*, That the rates of compensation for such service shall in no case exceed the regular commercial rate of the newspapers selected; nor shall any advertisement be paid for unless published in accordance with section thirty-eight hundred and twenty-eight of the Revised Statutes.

SEC. 2. All laws or parts of laws inconsistent herewith are hereby repealed.

In any event, several of these sections apply only to departments not to the independent agencies. When compared to the size of the appropriations which otherwise are spent very largely in the departments' discretion for the broad objectives to be reached, it is suggested these restrictions will be looked upon as minor and as unnecessary to proper and efficient administration of the Government's affairs. Their repeal is recommended.

SECTIONS 20-22. GENERAL PROVISIONS

Section 20 of H. R. 4586 defines "department" as including independent establishments, other agencies, Government-owned or Government-controlled corporations operating as agencies of the Government, and the government of the District of Columbia. It also defines "continental United States" as including the 48 States and the District of Columbia, and defines "Government" as including the government of the District of Columbia. The definition of "department" raises some question as to the intended or proper application of certain sections of the bill to Government corporations. Construing such definition literally, sections 1, 4, 7, 8, 10, 12, and 17 would be applicable to Government corporations. Those sections, while permissive in form, may be construed as imposing requirements or limiting the manner of accomplishing the transactions dealt with therein. In that view it might be of doubtful wisdom to apply some or all of such sections to those corporations not wholly owned by the Government. Wholly owned Government corporations will be required to submit budget programs commencing with the fiscal year 1947 for authorization by the Congress, and in a sense such authorizations will be analogous to appropriations. From this standpoint, it might be argued that the word "appropriation" in the bill should include legislation by the Congress pursuant to section 104 of the Government Corporation Control Act, approved December 6, 1945. Yet section 107 of that act provides a method for assimilating the

appropriations and expenditures of wholly owned Government corporations completely with those of regular Government agencies.

Bearing in mind the opportunity which wholly owned Government corporations will have to present their budgets to the Congress, the fact that no such budgets will be presented by mixed-ownership Government corporations, as defined in the Government Corporation Control Act, and the fairly limited field of operation of the provisions of this bill, it may be desired to extend all of such provisions to the transactions of wholly owned corporations. In that event it is suggested that the clause "Government-owned or Government-controlled corporations operating as agencies of the Government" in lines 3 and 4 of page 11 be changed to read:

wholly owned Government corporations as defined in the Government Corporation Control Act, approved December 6, 1945, whose transactions shall be subject to the authorizations and limitations of this Act—

and that there be inserted at the end of line 9 of page 11 the following:

and the word "appropriation" shall be construed as including funds made available by legislation under section 104 of said Government Corporation Control Act.

Section 21 of the bill provides that sections 1, 3, 4, 5, 7, 14, and 17 shall not apply to persons whose pay and allowances are established by the Pay Readjustment Act of 1942 (56 Stat. 359), which relates only to personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service. The proposed exception of such personnel from the provisions of the pending bill appears desirable, since the subject matter now is covered by a distinctive body of law respecting those persons.

Section 22 would postpone the effective date of sections 1 and 2 until the first day of the third calendar month following the enactment. Such postponement may be desirable in order to allow time for the preparation of the necessary regulations.

There is enclosed for the use of your committee a summary of the amendments suggested herein.

Sincerely yours,

LINDSAY C. WARREN,
Comptroller General of the United States.

Amendments to H. R. 4586 proposed by Comptroller General, or suggested for consideration

H. R. 4586			Subject of amendment	Page number of report of Comptroller General
Section	Page	Line		
1	2	2	To pay auto mileage for dependents' travel	2
1	3	5	To limit commutation on household goods' transfer	3
1	2	10	To require bond for advance of travel funds	3
2	3	22	Repeal of related statutes	4
3	4	4	To allow subsequent approval of auto mileage	4
4	4	19	To reword per diem provision for foreign travel	4
5	5	18	To allow increased per diem for consultants	5
7	6	9	To reword exemption for the foreign service	5
-----	7	3	do	6
9	8	2	To increase certain exemptions from Revised Statute 3709	7
9	8	2	To require advertising for Government sales	8
10	8	5	To limit witnesses to whom fees are payable	8
14	9	5	Awards for employee suggestions	10
17	10	2	To limit compensation rates for experts	11
18	10	7	Language revision	11
18	10	5	Other statutes to be correlated	12
20	11	3	To revise reference to Government corporations	13

COMPTROLLER GENERAL OF THE UNITED STATES,

Washington 25, November 21, 1944.

DIRECTOR, BUREAU OF THE BUDGET.

MY DEAR MR. SMITH: I have your letter of November 8, 1944, requesting an expression of the views of this office upon a draft of proposed bill to authorize cash awards to personnel of the Federal Government for useful suggestions or inventions; which draft reads as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the head of any department, establishment, federally-owned or controlled corporation, or other administrative instrumentality of the United States, hereinafter referred to as 'agency,' is authorized, under such rules and regulations as the President may prescribe, to pay cash awards to officers and employees of the agency who make meritorious suggestions which would result in improved or more efficient operations or administration and which have been adopted for use in the agency. The amount of any one award shall not exceed \$1,000 and the total of cash awards paid during any fiscal year in any agency shall not exceed \$25,000 (except that this limitation shall not apply for the duration of the war and six months thereafter to the War and Navy Departments). Payments may be made from the appropriation for the activity primarily benefiting or may be distributed among appropriations for activities benefiting as the head of the agency determines. A cash award shall be in addition to the regular compensation of the recipient and shall be conditional upon the execution by the recipient of an agreement that the use by the United States of the idea for which the award is made shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns.

"The Act of July 17, 1912 (37 Stat. 193), the Act of July 1, 1918 (40 Stat. 718), Public Law Numbered 254 approved March 13, 1944, and Public Law Numbered 357 approved June 26, 1944, and all other acts or parts of acts in conflict with the provisions of this act are hereby repealed."

The four acts proposed to be repealed by the second paragraph of the above-quoted draft are statutes which—in the order named in the bill—authorize the payment of cash awards for beneficial suggestions of officers or employees of the Ordnance Department by the Secretary of War not exceeding \$1,000 in any one month; to officers and employees of the Navy Department or Naval Establishment, "or other persons in civil life," no maximum amount being provided in the act; to officers and employees of the Maritime Commission and the War Shipping Administration, not exceeding an aggregate of \$5,000 in any one year, or \$250 for any one suggestion, unless patentable, in which case the award may not exceed \$1,000; and to officers and employees of the Department of the Interior, not exceeding an aggregate of \$20,000 in any one year, or \$1,000 to any one person.

It is understood that the present statutes providing for the benefits, *supra*, have proved to be of value in the administration of the agencies mentioned, and it appears justifiable to anticipate that a similar and uniform provision for all agencies would be found even more beneficial and in the interests of the Government. In the General Accounting Office a like objective was sought to be attained by the granting of meritorious within-grade promotions under the Ramspeck Act of 1941 in recognition of submissions by employees of this Office of suggestions of particular worth. However, there is reason to expect that a provision for a single cash award might be of greater efficacy, permitting awards more closely related to the value of the suggestion, and it does not appear that its cost would be materially, if any, greater.

Certain particular aspects of the proposed bill may warrant further consideration. It is not clear whether the proposed bill contemplates the inclusion of military and naval personnel—that is, officers and enlisted men of the Army, Navy, etc.—in respect of the benefits proposed, and the matter should be made clear in that regard. The bill specifies that the cash award should be in addition to the regular compensation of the recipient and, correspondingly, it would seem to be desirable to provide that the suggestions to be recognized must be, in scope and nature, over and beyond the duties for which the particular employee regularly is paid. That is to say, it is not believed that an award should be made to an employee for a suggestion which normally should be expected of him as a part of the regular duties of his position. However, this might be taken care of in the rules and regulations to be prescribed by the President. Finally, the bill provides for the execution, by the recipient of the award, of an agreement that the use of his idea by the Government shall not form the basis of a further claim of any nature upon the United States. It is suggested that the

same objective would be attained with, however, some simplification in administration if the language were changed to read merely to the effect that the acceptance of the award would constitute an agreement that "the use by the United States of the idea for which the award is made shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns."

Aside from the points above mentioned, this Office perceives no objection to submitting the matter for legislative consideration.

Respectfully,

(Signed) LINDSAY C. WARREN,
Comptroller General of the United States.



Feb. 13

TO AUTHORIZE CERTAIN ADMINISTRATIVE EXPENSES
IN THE GOVERNMENT SERVICE AND
FOR OTHER PURPOSES

HEARINGS

BEFORE THE

COMMITTEE ON EXPENDITURES IN THE
EXECUTIVE DEPARTMENTS

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH CONGRESS

SECOND SESSION

ON

H. R. 4586

A BILL TO AUTHORIZE CERTAIN ADMINISTRATIVE
EXPENSES IN GOVERNMENT SERVICE
AND FOR OTHER PURPOSES

FEBRUARY 13, 1946

Printed for the use of the
Committee on Expenditures in the Executive Departments



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AUTHORIZING CERTAIN ADMINISTRATIVE EXPENSES IN THE GOVERNMENT SERVICE

WEDNESDAY, FEBRUARY 13, 1946

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EXPENDITURES IN
THE EXECUTIVE DEPARTMENTS,
Washington, D. C.

The committee met at 10 a. m., the Honorable Carter Manasco, chairman, presiding.

The CHAIRMAN. The committee will come to order.

We have met this morning for the consideration of H. R. 4586, a bill to authorize certain administrative expenses in the Government service, and for other purposes. Without objection, a copy of the bill will be inserted at this point in the record.

(The bill is as follows:)

[H. R. 4586, 79th Cong., 1st sess.]

A BILL To authorize certain administrative expenses in the Government service, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) under such regulations as the President may prescribe, any civilian officer or employee of the Government who, in the interest of the Government, is transferred from one official station to another, including transfer from one department to another, for permanent duty, shall, except as otherwise provided herein, when authorized, in the order directing the travel, by such subordinate official or officials of the department concerned as the head thereof may designate for the purpose, be allowed and paid from Government funds the expenses of travel of himself and the expenses of transportation of his immediate family and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects (not to exceed seven thousand pounds if uncrated or eight thousand seven hundred and fifty pounds if crated or the equivalent thereof when transportation charges are based on cubic measurement): *Provided*, That advances of funds may be made to the officer or employee in accordance with said regulations: *Provided further*, That the allowances herein authorized shall not be applicable to civilian employees of the War Department and their dependents when transferred under the provisions of section 3 of the Act of June 5, 1942 (50 U. S. C. 763), nor to officers and employees of the Foreign Service, Department of State: *Provided further*, That no part of such expenses (including those of officers and employees of the Foreign Service, Department of State) shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee: *Provided further*, That in case of transfer from one department to another such expenses shall be payable from the funds of the department to which the officer or employee is transferred.

(b) In lieu of the payment of actual expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects, in the case of such transfers between points in continental United States, reimbursement shall be made to the officer or employee on a commuted basis at such rates per one hundred pounds as may be fixed by zones in regulations prescribed by the President.

(c) Funds available for travel expenses of civilian officers and employees shall also be available for the expenses of the transportation of their immediate families, and funds available for the transportation of things shall also be available for the transportation of household goods and effects, as authorized by this Act.

SEC. 2. The Act of October 10, 1940 (5 U. S. C. 73c-1), relating to allowances for the transportation of household goods, and section 5 of the Act of March 4, 1923, as amended (19 U. S. C. 48), relating to traveling and subsistence expenses of customs officers and employees, and the first sentence of section 645 (a) of the Tariff Act of 1930 (19 U. S. C. 1645 (a)), relating to traveling and subsistence expenses of the families of such officers and employees, are hereby repealed.

SEC. 3. The Act of February 14, 1931 (5 U. S. C. 73a), as amended, is further amended to read as follows:

"Civilian officers or employees or others rendering service to the Government shall, under regulations prescribed by the President, and unless otherwise provided in the appropriation concerned or other law, and whenever such mode of transportation is authorized as more advantageous to the Government, be paid in lieu of actual expenses of transportation not to exceed 2 cents per mile for the use of privately owned motorcycles or 5 cents per mile for the use of privately owned automobiles or airplanes when engaged in necessary travel on official business away from their designated posts of duty or places of service, or when used on official business within the limits of their official stations or places of service. In addition to the mileage allowances provided for in this section, there may be allowed reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls."

SEC. 4. When specifically authorized in an appropriation or other Act, appropriations available for travel expenses shall be available for the payment, without regard to the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), of per diem allowances in lieu of subsistence expenses to civilian officers and employees of departments while traveling on official business outside continental United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department concerned or by such subordinates as he may designate for the purpose, but shall in no case exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed.

SEC. 5. Persons in the Government service employed intermittently as consultants or experts and receiving compensation on a per diem when actually employed basis may be allowed travel expenses while away from their homes or regular places of business, including per diem in lieu of subsistence while at place of such employment, in accordance with the Standardized Government Travel Regulations, Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), and the Act of February 14, 1931, as amended by this Act, and persons serving without compensation or at \$1 per annum may be allowed, while away from their homes or regular places of business, transportation in accordance with said regulations and said Act of February 14, 1931, as so amended, and not to exceed \$10 per diem in lieu of subsistence en route and at place of such service or employment.

SEC. 6. Section 10 of the Act of March 3, 1933 (5 U. S. C. 73b), is hereby amended to read as follows:

"SEC. 10. Whenever by or under authority of law actual expenses for transportation may be allowed, such allowances shall not exceed the lowest first-class rate by the transportation facility used in such transportation unless it is established, in accordance with regulations prescribed by the President, that lowest first-class accommodations are not available or that use of a compartment or such other accommodations as may be authorized or approved by the head of the agency concerned or such subordinates as he may designate, are required for purposes of security."

SEC. 7. Appropriations for the departments (other than those for the Foreign Service of the State Department) shall be available, in accordance with regulations prescribed by the President, for expenses of travel of new appointees, expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects from places of actual residence at time of appointment to places of employment outside continental United States, and for such expenses on return of employees from their posts of duty outside continental United States to the places of their actual residence at time of assignment to duty outside the United States: *Provided*, That such expenses shall not be allowed new appointees unless and until the person selected for appointment shall agree in writing to remain in the Government service for

the twelve months following his appointment, unless separated for reasons beyond his control. In case of a violation of such agreement any moneys expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States.

SEC. 8. In purchasing motor-propelled or animal-drawn vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boat, or parts, accessories, tires, or equipment thereof, the head of any department or his duly authorized representative may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor: *Provided*, That any transaction carried out under the authority of this section shall be evidenced in writing.

SEC. 9. Section 3709 of the Revised Statutes of the United States, as amended, is hereby further amended to read as follows:

"Unless otherwise provided in the appropriation concerned or other law, purchases and contracts for supplies or services for the Government may be made or entered into only after advertising a sufficient time previously for proposals, except (1) when the amount involved in any one case does not exceed \$100, (2) when the public exigencies require the immediate delivery of the articles or performance of the service, (3) when only one source of supply is available and the Government purchasing or contracting officer shall so certify, or (4) when the services are to be performed by the contractor in person, under Government supervision, and paid for on a time basis."

SEC. 10. Whenever a department is authorized by law to hold hearings and to subpoena witnesses for appearance at said hearings, witnesses attending such hearings shall be entitled to the same fees and mileage, or expenses in the case of Government officers and employees, as provided by law for witnesses attending in the United States courts.

SEC. 11. The first sentence of section 3648 of the Revised Statutes (31 U. S. C. 529) is hereby amended to read as follows:

"No advance of public money shall be made in any case unless authorized by the appropriation concerned or other law."

SEC. 12. The head of any department may delegate to subordinate officials (1) the power vested in him by other law to take final action on matters pertaining to the employment, direction, and general administration of personnel under his department; (2) the authority vested in him by section 3683 of the Revised Statutes (31 U. S. C. 675) to direct the purchase of articles from contingent funds; and (3) the authority vested in him by section 3828, Revised Statutes (44 U. S. C. 324), to authorize the publication of advertisements, notices, or proposals.

SEC. 13. Appropriations available for the procurement of supplies and material or equipment shall be available for the purchase and maintenance of special clothing and equipment for the protection of personnel in the performance of their assigned tasks.

SEC. 14. Whenever authorized in the appropriation concerned or other law, payment of cash rewards may be made to officers and employees of the United States and to persons in civil life for suggestions or inventions resulting in improvement or economy in the operation of the Government.

SEC. 15. Whenever authorized in the appropriation concerned or other law, expenditures may be made for entertainment.

SEC. 16. Exemptions from that part of the Act of March 2, 1913 (40 U. S. C. 36), and from section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a), limiting the amount which may be paid for the rental and repair of buildings to be occupied for Government purposes, are hereby authorized when so specified in the appropriation concerned or other law.

SEC. 17. The head of any department, when specifically authorized in an appropriation or other Act, may procure the temporary (not in excess of one year) or intermittent services of experts or consultants, including stenographic and reporting services, by contract, and in such cases such service shall be without regard to the civil service and classification laws and in case of stenographic and reporting services, without regard to section 3709, Revised Statutes, as amended by this Act.

SEC. 18. Section 4 of the Act of February 3, 1905 (5 U. S. C. 77), is amended by striking out therefrom the words "maintaining, driving, or operating" appearing immediately after the word "purchasing," and section 5 of the Act of July 16, 1914 (5 U. S. C. 78), is amended by striking therefrom the words "maintenance, repair, or operation" appearing immediately after the word "purchase".

SEC. 19 The following statutes or parts of statutes are hereby repealed:

Sections 192 and 1779 of the Revised Statutes (5 U. S. C. 102);

Section 3 of the Act of March 15, 1898 (31 U. S. C. 678);

That portion of the Act of July 31, 1876 (19 Stat. 105), reading as follows: "and in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia" (44 U. S. C. 321);

The Act of January 21, 1881 (44 U. S. C. 323).

SEC. 20. The word "department" as used in this Act shall be construed to include independent establishments, other agencies, Government-owned or Government-controlled corporations operating as agencies of the Government, and the government of the District of Columbia, and the words "continental United States" as used herein shall be construed to mean the forty-eight States and the District of Columbia, and the word "Government" shall be construed to include the government of the District of Columbia.

SEC. 21. Sections 1, 3, 4, 5, 7, 14, and 17 of this Act shall not apply to persons whose pay and allowances are established by the Pay Readjustment Act of 1942.

SEC. 22. Sections 1 and 2 of this Act shall become effective on the first day of the third calendar month following the enactment hereof.

The CHAIRMAN. This bill was prepared by the Bureau of the Budget in cooperation with all the other Government departments, and those present to explain the bill to the committee are: Mr. J. L. Carr; attorney, Bureau of the Budget; Mr. Henry Merry, administrative analyst, Bureau of the Budget; Mr. Frank H. Weitzel and Mr. W. L. Ellis, assistants to the Comptroller General; and Mr. F. J. Lawton, administrative assistant, Bureau of the Budget.

STATEMENT OF F. J. LAWTON, BUREAU OF THE BUDGET

Mr. LAWTON. Mr. Chairman, the purpose of this bill to authorize a substantial number of legislative enactments which have been included largely in appropriation bills over a number of years. Because of administrative necessity, it has been found desirable to give certain basic authorities, applicable only for the current year, of course, in appropriation acts.

The provisions which are included in this bill include practically all of the provisions that are carried in title II of the Independent Offices Appropriation Act, which provisions have been carried as really a legislative enactment for several years past.

The CHAIRMAN. At that point, Mr. Lawton, I might say that the chairman of the Appropriations Committee and the chairman of every subcommittee of the Appropriations Committee have been very anxious for us to pass this bill, because the other day in the independent offices bill, they had to carry some legislation on this question.

Ordinarily, it would have been subject to a point of order. They are very anxious for us to get this bill through.

Mr. COCHRAN. Well, did they say they wanted this exact bill, or did they say they wanted a bill which would carry out the purposes of their suggestions?

The CHAIRMAN. I believe Mr. Cannon made one or two suggestions for amendments. I have letters from Mr. Cannon.

Mr. COCHRAN. That was not subject to a point of order, because I looked into it very carefully myself. It has been carried in previous bills. And it was not subject to a point of order.

The CHAIRMAN. Well, there are certain authorizations in some of the appropriation bills though, that are subject to a point of order,

and they are very anxious to get rid of that problem, which they have to face every year.

Mr. LAWTON. There are a great many of the provisions in title II that are subject to a point of order. Some are not. Those that are grants of authority are subject to a point of order. Those that are limitations on the use of appropriations are not subject to a point of order.

Mr. COCHRAN. The sole purpose was that they did not want to put the language in every appropriation bill. They could put it in the appropriation bill in such language that it would not be subject to a point of order.

Mr. LAWTON. That would not be true of any new grant of authority. It is true of certain activities and certain provisions of this bill, that if lifted out of this bill and placed in a single bill, it would not be subject to a point of order.

The best example of that is attendance at meetings, which is authorized by basic law when an appropriation is made for that purpose. Now, when that was carried in the general provisions, it was subject to a point of order because it applied to all appropriation bills.

If carried in any one bill, it was not subject to a point of order, because it applied only to the subject matter of that bill. Provisions like that can be lifted out and put into a separate bill.

Mr. COCHRAN. Have you read the report and analysis of the Comptroller General on this bill?

Mr. LAWTON. No; I just got it this morning.

Mr. COCHRAN. Are you in agreement with the Comptroller General and do you think it would be easy for us to perfect this bill?

Mr. LAWTON. I think from what I have heard, we are substantially in agreement. There may be some points that would come up in connection with some of the proposed amendments that we have not had time to consider and I would not want to commit myself definitely on it. But generally, some of the items proposed in this bill result from recommendations made by the Comptroller General. Some others were cleared with him prior to the submission of the bill.

Mr. COCHRAN. First you take his report on page 2 in the middle of the page, where he comments on the authorization of the transfer and he specifically says that he has previously pointed out that the existing requirements in this respect are unworkable and should be changed, and calls attention to his annual report.

If that be so, we should change it. Now, the question is what is the cost of this bill? That is one thing we are going to be asked on the floor.

Mr. LAWTON. That cost is almost impossible to estimate, because it depends on the size of the Government and the tendency toward centralization or decentralization of offices. It varies from year to year. There is no way to decide in advance or make a good estimate as to whether a given agency will decentralize its activities to the field. The Veterans' Administration has announced a policy within 2 years of decentralization. Just how many employees will be involved in it, and how many the veterans will have by that time, we do not know now.

The CHAIRMAN. This year it may be fair to point out it will be more than any other year, because we are bringing back to Washing-

ton many agencies that were moved out when we got into the war.

Mr. LAWTON. That will occur this year and next year.

Mr. COCHRAN. Well, you have the Army record offices being sent to St. Louis. They are now scattered all the way from New York to Chicago. Two big ones are in Newark and High Point, N. C.

It is estimated that there will be 15,000 employees in that office in St. Louis. They are stopped right at the moment, after getting about 5,000, because there are no housing facilities.

Every one of those employees who have families are entitled to be reimbursed under these provisions. Is that correct?

Mr. LAWTON. If they go with the record office.

Mr. COCHRAN. That is correct, if they go with the record office and it is for the convenience of the Government rather than for the convenience of the employee. Now there is one factor that I might mention in connection with that. It is the experience in decentralization that approximately 60 percent of the people move with the office. Forty percent transferred find other jobs. That depends, of course, on the employment situation at the time. If agencies in the particular city where those employees are not located are looking for personnel, a number of those people rather than move, will transfer. Whether that percentage of 60 will hold good under present employment conditions is anybody's guess.

I don't know the break-down between single and married persons, but I would assume that the percentage of married persons, particularly those with established homes would be higher than the percentage of single persons employed by the agencies who would not want to move.

The CHAIRMAN. Let me ask you this question, Mr. Lawton: Except for the provisions in the appropriation bills which come up every year, what is the difference between the existing law and the proposals in this bill?

Mr. LAWTON. Most of these proposals are based on existing law, with some slight modifications in a few instances, of the provisions of existing law. I have a comparative statement of the present law and this proposed act, and in practically every case, as to every section in this proposed bill, there are provisions in present law, either basic law or in appropriation acts, which are of a similar nature.

In some cases, it is of an identical nature.

The CHAIRMAN. Is this something of a codification of existing law?

Mr. LAWTON. It is a codification. The principal purpose, I might add, is to avoid the charge that the appropriations committees have become legislative committees, by enacting into the appropriation act provisions which are in a sense basic law, and which are not provisions to carry out—I mean not appropriations to carry out the provisions of law, but provisions which actually establish law in the appropriations act. You may remember that over the past several years, there have been a number of bills which have been riddled by points of order on the floor.

I believe in the case of the Interior bill, a few years back, that bill was reduced in size some 25 percent by points of order made against provisions, some of which have been carried for 50 years.

Mr. WHITTINGTON. That did not cover this matter embraced in this bill—those points of order to the Interior bill, by and large, they were authorizations—

Mr. LAWTON. Some of them.

Mr. WHITTINGTON. Well, I said "by and large." That did not cover the matter of the costs involved in this bill, did it?

Mr. LAWSON. Oh, yes; a good many of them did such things as appointing experts without regard to Civil Service.

Mr. WHITTINGTON. Is that embraced in this bill?

Mr. LAWTON. Yes. When authorized by basic law. This is simply a basic authority in this bill as it now stands. It is a basic authority to include in appropriation bills provisions now included in those bills, but which are not subject to a point of order. If this bill were enacted, then the Congress could decide in many individual cases whether or not they wanted to allow an agency to do a certain thing.

Mr. WHITTINGTON. As to experts, was that not covered by a statute included in some appropriation bill recently?

Mr. LAWTON. There are authorities in appropriation bills scattered all through bills for the appointment of experts.

Mr. WHITTINGTON. They are per diem people generally?

Mr. LAWTON. They are per diem, or persons paid at the salary rate which is in excess of the civil-service rate. They may be hired for a month at a given salary rate. Generally, I would say that better than 90 percent of them would be persons paid on a per diem rate of pay.

The War Department for example, had authority to hire people at \$50 a day.

Mr. WHITTINGTON. What was that?

Mr. LAWTON. The War Department.

Mr. WHITTINGTON. I think the authority has been very greatly abused. I do not want to make the charge, but before the war and during the depression I recall in a good many instances there were people around the Capitol here who had these cards as experts, at so much per day. And I would want to look into that pretty carefully.

Mr. LAWTON. This bill simply provides that the head of a department, when specifically authorized in an appropriation or other act, may procure the services of temporary experts, or the temporary services of experts. But this bill does not give them the right to hire them. It simply provides that if such a provision is included in the appropriation act for a given year, then that provision is not subject to a point of order. That is all it does.

This does not give them the authority to hire a single person. This bill simply removes the point-of-order question if that sort of language is put into an appropriation bill.

Mr. WHITTINGTON. Well, does that not raise this question, Mr. Chairman, as to which committee is better qualified to determine the need for experts, the committee that authorizes the legislation under which those experts, so-called, will function, or the Appropriations Committee?

Mr. LAWTON. Well, either committee. This law does not limit it to appropriations. It is "appropriations or other acts." Now, in basic law, Agriculture, Federal Reserve System, Export-Import Bank, Federal Deposit Insurance, Home Loan Bank, Savings and Loan Insurance Corporation, Home Owners' Loan Corporation, Office of the Coordinator of Inter-American Affairs, State Department, Foreign Service, Tennessee Valley Authority, Soldiers' Home, and others, have that authority.

And then, for certain individual groups, there is a whole list of agencies that have that authority in basic law. And in addition, in current appropriations in the Departments of Agriculture, Commerce, Interior, Justice, Labor, Navy, State, Treasury, War, and practically every independent office has some authority of that sort.

Mr. COCHRAN. Mr. Chairman, do you think that in order to assist the committee with a bill of this character, it might be advisable to take this bill right now and read it, and then as we get through with one section, see whether or not the Bureau of the Budget and the Comptroller General are in accord with the language here, and if not, what is the objection; so that we can eliminate, at least for the time being, the provisions in the bill that are in full agreement?

The CHAIRMAN. I think it would be best to go ahead and make—and let Mr. Lawton make a general statement before anything like that takes place.

Mr. COCHRAN. We know what the bill is.

The CHAIRMAN. Let him make a general statement.

Mr. WHITTINGTON. I think that is fair.

The CHAIRMAN. Go ahead and make a general statement, Mr. Lawton.

Mr. LAWTON. I just wanted to add that this is part of a general scheme. It is not the complete job that is being done on the elimination of these legislative provisions in appropriation acts. These are the provisions that are common to a large group of departments or to all departments, and there are a number of individual bills relating to specific problems of specific departments that are being presented to the various legislative committees having jurisdiction of the particular department or the subject matter with which the department deals.

Agriculture, as you know, recently had a basic organization bill, including a great many administrative provisions. That passed last session.

Mr. COCHRAN. Just right there: When you asked the Committee on Agriculture to pass that bill so that those provisions would not be subject to a point of order, did you consider at the time the legislation itself? Or simply to clear the way for the Appropriations Committee to make appropriations so that they would not be subject to a point of order?

Mr. LAWTON. That bill did two things. It established basic authority for certain activities of the Department of Agriculture which had been challenged a number of times on the floor.

The CHAIRMAN. Farm Security Administration?

Mr. LAWTON. And also it provided certain improvements in administrative practices which the Department of Agriculture wished to have enacted into law. It was a combination of the two things.

Mr. COCHRAN. Here is what I am getting at: The Congress had, due to an emergency, included in an appropriation bill money to eradicate this pest or that pest, or grants to the States, in connection with various matters under the control of the Agriculture Department. When that bill came from the Agriculture Committee, there was a blanket authorization for dozens of projects—and it passed. The Appropriations Committee at any time it desires can make an appropriation under that act that will not be subject to a point of order.

In other words, you just simply desired then to place the Appropriations Committee in a position where its appropriation for some project was not going to be challenged by some member making a point of order. Is that true? Or did you go into the merits of the project involved? That is what I want to know.

Mr. LAWTON. Well, we went into the language of the bill and agreed or disagreed to parts of it. But Agriculture of course presented it to the Committee on Agriculture to decide it as a matter of policy whether the Congress wanted the Department of Agriculture to engage in these kinds of activities. Once they decided that as a matter of policy, then it was left up to the Congress as an annual thing to decide how much and how far they would go into each of those things.

Mr. COCHRAN. Well, for instance, I remember when the country was all excited about the corn borer. They were going to destroy the corn crop of the United States. And they passed emergency appropriations to eradicate the corn borer. Then they went out and burned corn and corn stalks on certain farms throughout the United States and reimbursed them for it.

You never hear anything about the corn borer any more. At least, I don't.

The CHAIRMAN. Probably killed him.

Mr. COCHRAN. Well, why should we have authorized an appropriation for the corn borer?

Mr. LAWTON. Well, the authorization, of course, does not necessarily mean that you have to appropriate for it.

Mr. COCHRAN. Oh, I know it, but once you give them the power and authorize them to do something, the boys up in the departments will want a little money to keep themselves busy.

Mr. LAWTON. Well, that is the question for the Agriculture Committee first to report to the Congress, and then for the Congress to decide. And it is the same basis in which we are putting this up here: there are somewhere things that have been enacted into law year after year, and they have been enacted into law through the means of appropriation acts. We think that Congress ought to review these and see whether they want to grant the authority to do these sorts of things and decide actually how much shall be spent for them or under what limitations in a particular year these activities should be carried on.

Mr. COCHRAN. That is just the point that I am reaching: are you in the position, representing the Bureau of the Budget, to assail any of the provisions that are in this bill and say in your opinion there is no necessity for the Congress making appropriations for the purpose?

Mr. LAWTON. No, I think that the things that have been placed in this bill are things that are necessary to normal operation of Government under present conditions.

Mr. COCHRAN. Not present conditions. Future conditions will be involved. This is going to be permanent?

Mr. LAWTON. That is right. Present and future conditions.

Mr. COCHRAN. For instance, if you had a proviso for something and you felt that it was not the function of the Federal Government to carry on that activity, are you in a position to tell us that, or are you just speaking now for the purpose of putting the Appropriations Committee in the position where if it so desires, it can make appropriations for this purpose?

Mr. LAWTON. Well, these provisions in this bill I do not think can be characterized as establishing a program of activity for any agency of the Government. They are housekeeping provisions. They are things that are essential to the carrying out of all sorts of Government activities. They are travel provisions.

Mr. COCHRAN. Take section 3709. You hardly have a bill come before the House that they do not place a limitation in reference to that section in the revised statutes—until you now have probably dozens upon dozens of provisions affecting appropriations; and, in some instances, you limit the exemption, say, to \$50; in other instances, it goes up to \$500.

What should we do in reference to that? Should we not make it uniform? You have a situation in the Government departments, and you cannot deny it, that although we put a limitation of \$100 where they can go into the market and buy without advertising, they will buy \$100 worth of what they want during the month of June, and then they will come back and they will buy another \$100 during August, and then another \$100 during October, and another \$100 during December. In other words, it is violating the spirit of the act.

Instead of buying all they need for that year and advertising for bids, they utilize that \$100 provision to get around the law and buy a small amount at a time.

Now, that cannot be denied.

Mr. LAWTON. But I do not believe it is of great magnitude, though, in the total of Government purchases.

Mr. COCHRAN. You are the purchasing agent and I am your friend, and I am the seller. If you only buy \$100 worth you can give me the contract, but if you buy \$500 you are going to have to advertise for bids. You give me a contract in June and I will sell you \$100 worth of goods. Then, you need some more in August and you give me the contract again. You are accepting my price, whereby if you needed those things and you bought \$600 or \$1,000 worth at one time and you advertised for bids, my price might be extremely high in comparison with one of my competitors.

The CHAIRMAN. Suppose you do not need more than \$100 worth?

Mr. COCHRAN. That is all right; but I am talking about where they do need more.

The CHAIRMAN. We had information at one time where one department bought enough floor mops to keep them clean for 100 years. I think it would be better to allow them to buy it in small lots if they need it that way, rather than to buy too much.

Mr. COCHRAN. But there should be some check on them to see if they are doing it every other month on the same commodity.

The CHAIRMAN. I believe the Comptroller General will check them pretty closely.

Mr. LAWTON. This provision in here, of course, was to set a standard minimum of \$100 as against the present variations of \$25, \$50, \$75, or \$100.

Mr. COCHRAN. I think you are doing a good job if you limit it to \$100 and keep them to \$100—striking out all those other higher provisions, because you have many of them which go above \$100.

Mr. WEITZEL. May I interject? As the bill was written it would not supersede those which are above \$100. That will be for the committee, if they want to make the whole thing a standard exemption of \$100. That was considered in connection with the act of October 10, 1940, which finally codified numerous exemptions varying from \$25 to \$500. At that time it was not possible to agree upon a standard provision, as I recall. That will be for the committee to decide whether it wants to include in this bill a provision repealing all other exemptions from 3709, Revised Statutes, higher as well as lower.

Mr. COCHRAN. I think you would be doing a good job if you did that. Because the Appropriations Committee and the Legislative Committee, in bringing in their bill, have provisions in almost every one of them, when you are putting up a new set-up, that refer to 3709.

Mr. WHITTINGTON. May we have the gentleman proceed, Mr. Chairman, and give us an analysis of this bill?

The CHAIRMAN. I am anxious to hear it.

Mr. LAWTON. The first sections of this bill, 1 (a), 1 (b), and 1 (c), replace the act of October 10, 1940, relating to the allowances for the transportation of household goods. Sections 201 (a) and 201 (b) of the Independent Offices Appropriation Act of 1946, the law for the present year on this subject, cover the expenses of transporting employees' immediate families. This proposal also covers the section of the War Service Regulations, War Manpower Commission, which provide for reimbursement to an employee for the cost of transporting himself and household goods in the case of ordered transfers between agencies.

It increases the amount of household goods which can be moved from 5,000 pounds, as now allowed, to 7,000 pounds, if uncrated, and 8,750 pounds, if crated. This increase is based on the experience gained in the decentralization program, where it was established that the 5,000 pounds was not sufficient to meet the needs of a great many of the employees.

The increased amount, however, will take care of about 90 percent on the basis of that experience. It will take care of 90 percent of the employees who move. The other 10 percent would have household goods in excess of that amount and would have to pay the difference themselves.

Section 1 (b) substitutes for the payment of actual expenses of transportation of household goods reimbursement on a computed basis, in line with the recommendation made by the Comptroller General in his annual report to Congress for the fiscal year 1942. And I believe the Comptroller has referred to that in his statement to you. It is the generally accepted policy of practically every major private employer, major private industry, to pay expenses in connection with the transfers of their employees, including not only household moving expenses but expenses of transportation, hotel, meals for the employee and his dependents, both en route to the new headquarters and at the new headquarters pending the establishment of his permanent living quarters there. We feel that the employees will be more willing to accept transfers desired by their agencies if

they are allowed the expense of transportation of their dependents. It will result in more efficient conduct of the agency's business, as it will facilitate better placement of their employees.

There are provisions also made for advance of funds to the employee on the basis of the estimated cost of shipping his household goods, which is a similar provision to the advance now in the case of an employee traveling, where he can go in and get an advance under the Subsistence Expense Act.

The CHAIRMAN. Before you leave section 1, Mr. Lawton, the Secretary of the Interior, in his report, suggested that we might have some provision made for payment of a sum in lieu of the expenses of moving, because he pointed out that in transfers from the continental United States to some of the island possessions, where the climatic conditions destroy overstuffed chairs and things like that, it might be a saving to the Government and to the individual to let him sell his property here and give him some fair and reasonable sum to enable him to purchase furniture which would be suitable for the Tropics. Have you given any consideration to that?

Mr. MERRY. That was discussed a little bit at one time. I believe that was with respect to the Government of the territories. And it was felt at that time, in a preliminary discussion, that it would be pretty hard to arrive at just what amount you should pay them. And there was some feeling that maybe they could instruct their employees not to bring this overstuffed furniture to the Philippine Islands. Maybe there might be some provision for storage in this country if they would not be gone too long.

The CHAIRMAN. I just wanted to call to your attention that that was in the report.

Mr. MERRY. Incidentally, they are the only agency that I know of which ever made that suggestion.

Mr. LAWTON. We felt that in that case, they could submit it if they so desired in connection with their own specific bill.

Mr. WHITTINGTON. Even so, that man who sold his property here, and was furnished money to buy there, would profit by selling his property, because he would retain those funds and get funds to buy the property in the other place, would he not?

Mr. MERRY. Of course, I do not know how much you get for old furniture.

Mr. ELLIS. May I interject there? He was talking about jobs located outside the United States. And practically all of those jobs I think are paid an extra 25 percent differential on their salary in the view that, for this reason and many others, the jobs are less attractive. It might be thought that the suggested difficulty is intended to be taken care of by the extra pay the personnel get for going to serve in those places.

Mr. WHITTINGTON. Before we leave section 1, may I ask of Mr. Lawton: Prior to this decentralization—of course, the war has caused a lot of trouble in addition to that—were the rates allowed generally sufficient to provide for reasonable transfers?

Mr. LAWTON. I would not think so. There has been a constant argument about it on the part of individuals. In the case of a person whose normal activity was such that he knew that he was going to transfer from place to place, he probably would not have a great deal

of household effects. He consciously would hold it down because he knew he was only going to get a certain amount.

But in the case of these major movements, and to facilitate the free transfer of Government personnel, where you have experienced people in a particular department and you have a job opening up in the field that they would be better than any person you might recruit locally, then it would pay the Government to transfer those people.

If it is going to be a hardship on the man and he is going to have to bear the burden of transporting his family and a lot of additional household effects, he might refuse to transfer. He would not want to go.

Mr. WHITTINGTON. These transfers, and household expenses, were confined largely to the Army and the Navy?

Mr. LAWTON. Oh, no; there are a number of agencies who have had that authority for a number of years.

Mr. WHITTINGTON. But were not the large funds confined to the Army and the Navy prior to the decentralization program?

Mr. LAWTON. Oh, they always will be as far as that goes.

Mr. WHITTINGTON. What agency had much of those expenses outside of the Army and Navy?

Mr. LAWTON. Well, Customs Service had the authority. The Public Buildings Administration in connection with their building program, only have it in large volume, of course, when there is a public-buildings program, when they transfer engineers, architects, and superintendents of construction, of course, from place to place.

The other departments, the Department of the Interior and the Department of Agriculture, the Forest Service, the National Park Service, agencies of that sort, have some. What the volume was, I do not know. But there is not a tremendous amount of transfer of that character as a general thing. There are a few agencies—

Mr. WHITTINGTON. Now, does this increase the amounts for transfers in the Army and the Navy?

Mr. LAWTON. No; it does not affect the Army and the Navy. The provision in section 21 of the bill exempts any agencies covered by the Pay Readjustment Act, which are the Army, the Navy, the Public Health Service, the Coast and Geodetic Survey officers, from the provisions of this section as well as several other sections in the bill.

This relates to civilian employees.

Mr. WHITTINGTON. Would there be any material increase to the Government in actual cost now if section 1 were adopted?

Mr. LAWTON. I would say there would be no material increase at all. There would be some increase, yes; but I do not think it would be material, because I think what we would probably do, as we have done in a number of these other cases, is say: "You have a certain amount of money for travel and if this is the way you want to spend it rather than some other way, all right." I do not think it is a place that you could point up and get a specific increase in appropriations for this purpose, except where you had a mass program. And if you had a large program such as the veterans have undertaken in decentralization and such as has occurred from time to time from Internal Revenue, where a considerable number of people in an agency will move, then, the specific expenses of that move would be slightly higher than they would be if the furniture allowance were lower, naturally.

Mr. WHITTINGTON. This increases the pounds that may be moved for everybody?

Mr. LAWTON. That is right.

Mr. WHITTINGTON. And do you think that is justified?

Mr. LAWTON. Yes; I do.

Mr. WHITTINGTON. Mr. Ellis, do you gentlemen see any objection to section 1?

Mr. ELLIS. We have a few slight amendments for suggestion, but they are not fundamental.

Mr. WEITZEL. The first amendment would permit mileage for automobile travel of dependents. Instead of having the man take his automobile and the family following and having to pay rail fares, that will enable the man to travel by rail and have the family follow at a 5 cents a mile rate in an automobile. The inability to do that now is due to a technical quirk in the present law.

As to this point on increased costs, we might point out, too, that it is our understanding that when the regulations are promulgated, they will have a graduated scale for reimbursement for the expense of shipment of household effects, depending on whether a man has dependents, and so forth.

The Bureau of the Budget can verify that for you. That would mean that there would not necessarily be 7,000 pounds paid for in every case even if a man should have that much.

Mr. WHITTINGTON. What is the present weight?

Mr. LAWTON. Five thousand.

Mr. ELLIS. Perhaps I can explain what I believe is the biggest change in that matter of household goods. The present law is in general that the employee gets the actual number of dollars which it costs to ship the goods, or else the Government takes care of the shipment for him. And except for a wartime modification, the rule is that you have to use the most economical means of getting it there. That entails an enormous amount of administrative paper work—red tape, so to speak—in arriving at what is the cheapest way to ship the goods.

The thought is that what is to be paid under this bill is a lump sum based on the average costs of shipping the goods from one point to another, so that the employee will take care of it entirely himself, without any reference to the Government at all. If he ships, say, 4,000 or 6,000, or 8,000 pounds, he hands in the bill of lading saying, "Here is the amount of goods I shipped". We will have a table prepared in the Bureau of the Budget which will show the amount to be paid for every hundredweight shipped the distance involved, say, \$5 for 2,000 miles.

Thus, we will give him \$5 for every hundredweight he ships, while the employee picks out the method of shipping. He takes care of the damage claims and so on, and all the red tape and administrative work is done by the employee, not by the Government. And we pay a flat amount in every case whether he has a high-priced method of shipping or a low-priced method. It is all up to him.

Mr. CHURCH. Is there a burden on the employee to indicate that the way he selects is the most economical?

Mr. ELLIS. Not under this bill. It would be up to him to take it any way he wants to. He can take the cheapest way, send it by rail, or if going to the west coast, he can ship it around through the Canal

at a considerably lower rate. All he will show, as I understand the plan, is this: He will ship 5,000 pounds of goods, or 50 hundredweight. The table will have a mileage zone for 2,000 miles (if that is the distance involved), and we are going to pay \$5 a hundredweight—based, as I understand it, on the general average of costs for that distance. We will give him \$5 for every one of his 50 hundredweight he ships. But how much he pays out is entirely up to the employee. He does the work. The Government saves all the work of worrying about the issuing of bills of lading, bids, and so on.

Mr. CHURCH. That is an administrative saving, of course, but is there a temptation here to encourage an increased cost, in that the employee might not select the most economical way?

Mr. ELLIS. Of course, the payment will depend entirely on the amount shown in the table prepared in the regulations. And the bill proposes to leave that to the discretion of the Bureau of the Budget to decide the amount to be shown in the table.

As I understand, the plan is to show the amounts now usually charged. It is possible that a dollar or two variation will occur one way, but at the same time in another case, the dollar variation would be the other way.

Mr. WHITTINGTON. I cannot see why an increase of from 5,000 to 7,000 pounds will not make much difference.

Mr. ELLIS. I am sorry if I gave that impression. I do not say that the increase in weight will not involve an increase. But the change in the method I believe will not cause any considerable increase over the present method.

Mr. WHITTINGTON. Well, if you just let the weight as it is—

Mr. ELLIS. Then our thought is that the expense would be about the same as at present.

Mr. WHITTINGTON. I haven't any good reason to increase the rates here, except in this decentralization during the war.

Mr. LAWTON. The only reason is that on the basis of the experience of a good many thousand people, the household goods averaged around 7,000 pounds. If you adopt the theory that it is good business to be able to transfer experienced employees from one location to another, and you are doing it for the convenience of the Government, the Government ought to pay the cost of that transportation.

Mr. WHITTINGTON. That probably would not be of benefit in that regard, payment for a fixed sum. If we leave the poundage as it is—and provide for the payment of this amount in lieu, would that not probably be of benefit to these people that are transferred? But you are increasing it and paying the amount.

Mr. WEITZEL. The Comptroller General has suggested an amendment to provide, as I believe the Bureau of the Budget intended, that no more than the actual weight shipped will be paid for under this computation of costs—if a man has 5,000 pounds of goods, he will get so much money based on 5,000 pounds shipped such and such a distance. If he does not ship anything, he gets no reimbursement. The commutation is a commutation of reimbursement and not just a flat rate.

Mr. LAWTON. The commutation will be on the basis of per hundred pounds shipped for such a distance.

Mr. WHITTINGTON. But if you shipped 7,000—I did not know you were going to limit it to the actual amount he had.

Mr. LAWTON. Oh, yes. You only pay him for what is shipped. I think that is clarified here.

Mr. COCHRAN. How about the Army and the Navy? Are they jumping from 5,000 to 7,000?

Mr. LAWTON. The Army and the Navy are not included in this provision.

Mr. COCHRAN. Are you jumping the Army and the Navy anywhere? I remember a great deal of complaint about the Army and the Navy officers bringing from foreign countries, especially the Philippines and China, a tremendous amount of goods that they bought just before they left there because they could buy them awfully cheap and they would enter this country without regard to our customs laws.

Now, that was brought out here very forcefully at one time. And I visited the homes of some fellows who have been over in China and the Philippines, and they have practically all the furniture in their house which was bought over there.

Mr. LAWTON. We have not touched them one way or another in this bill.

Mr. WHITTINGTON. Even so, do you know whether they have been increased?

Mr. LAWTON. I do not know offhand.

Mr. CHURCH. Why is there a distinction?

Mr. LAWTON. Well, as I said in the beginning here, our intent in this bill was to take provisions that are now carried in appropriation bills and provide a basic bill covering those provisions. We have lifted this out of the Independent Offices Act. It is included in that act at the present year for 1946, included again for 1947; the difference being the rate of poundage and the commutation. Otherwise, we only took the provisions that were in that bill and moved them.

We did not go into the Army and Navy because they had separate legislation for their purposes. And I think in part it is because a great deal of their goods are moved by Army and Navy facilities. They will move them on an Army transport or a naval transport.

Mr. CHURCH. And some civilian goods are still moved by Army and Navy, are they not?

Mr. LAWTON. It has been during the war, and the bulk of this will apply to commercial transportation, railroads, buses, and so forth.

Mr. CHURCH. Now, if this bill is enacted, will it make a difference between the people under this bill and the civilians under the Army and Navy?

Mr. LAWTON. It applies to the civilians in the Army and Navy, but does not apply to the military personnel.

Mr. CHURCH. It applies to civilians?

Mr. LAWTON. But not to the military personnel.

Mr. WHITTINGTON. Now, to get a further general view, what change does section 2 make in the existing law?

Mr. LAWTON. Section 2 repeals present laws relating to customs officers and employees, principally, because they will be covered by the provisions of section 1.

Mr. WHITTINGTON. Would it increase or decrease, assuming the poundage is the same, the cost to the Government?

Mr. MERRY. It will decrease under the customs a little bit in one respect, because they pay subsistence to families while they are moving and under this act we do not pay that.

Mr. CHURCH. Will you repeat, please?

Mr. MERRY. I say, there will be a small change with respect to the customs people. They pay a little more liberal allowance now under their own act than we provide here with respect to the transportation of families.

Mr. WHITTINGTON. This is limited to Customs Office employees?

Mr. MERRY. I believe one of these acts.

Mr. WEITZEL. The Tariff Act.

Mr. ELLIS. The act of 1940 is the general one.

Mr. LAWTON. The general act is repealed because of these provisions.

Mr. WHITTINGTON. But both that part of the act of 1940 and the other act of 1923 relating to customs officers?

Mr. LAWTON. There are two things in here. There are two parts that relate to customs office employees, and one part that relates to the general authority, which is changed by section 1.

Mr. WHITTINGTON. I see. Now, what change does section 3 make in the law? And tell us whether it increases cost to the Government.

Mr. COCHRAN. Just one second before you leave. The Comptroller General states that the repeal of the act of October 10, 1940, seems desirable. But he goes further and brings in the Army and the Navy:

It may be thought well to consider whether certain other statutes, covering the same subject matter, should not also be repealed; for example, the act of February 21, 1942 (56 Stat. 97) (War, Navy, Coast Guard), the act of March 4, 1911 (5 U. S. C. 539), and section 710 of the act of September 21, 1944 (5 U. S. C. 514d) (Agriculture.)

If this is good for Customs, would it also be good for the other organizations?

Mr. ELLIS. Those are civilian employees of War, Navy, and Coast Guard, and of course, it merely substitutes a new, general statute.

Mr. CHURCH. Mr. Chairman, may we have the door closed. I want to hear.

Mr. ELLIS. There are several other statutes which ought to be considered for repeal, such as the act relating to civilian employees of the War, Navy, and Coast Guard; also the two statutes with relation to transfers in Agriculture.

The thought is you are making a general transfer law which would apply to all cases of transfer of civilian personnel in the executive branch of the Government.

Mr. COCHRAN. Would that increase the cost?

Mr. ELLIS. No, I think not. In fact, there are certain savings which would result.

Mr. COCHRAN. And it would be uniform rather than having an act for one department and another act for another department; is that it?

Mr. ELLIS. Yes. If you wish, I could suggest some of the other changes in section 1.

Mr. WHITTINGTON. I thought you covered section 1.

Mr. ELLIS. I covered just one point, the lump sum feature.

Mr. WHITTINGTON. What are the suggestions you want to make as to section 1? Does section 1 increase or decrease the cost to the Government otherwise?

Mr. ELLIS. It is hard to answer that categorically. There are some features which will save, and there are some features which may cause a little expense.

Mr. WHITTINGTON. On the whole, what is your judgment?

Mr. ELLIS. On the whole, I do not believe the excess could be great at all. It may be very slight.

Mr. WHITTINGTON. Would it be any greater if you leave the poundage at \$5,000?

Mr. ELLIS. Of course, that is the one place where there would be some substantial increase.

Mr. WHITTINGTON. I thought he said that a few minutes ago? Now then, section 3, if you will go on through this.

Mr. LAWTON. Section 3 provides a uniform mileage rate for the use of privately owned automobiles or airplanes within or without the official station of the employee.

At the present time, the general rates are 5 cents a mile outside of the official station, 3 cents a mile inside. In one case, in the Housing Administration, they have a flat figured rate of 4 cents inside or outside. The operational cost of an automobile of 5 cents is, we feel, very well justified, and we think that there are administrative savings that will offset in part any increased cost if a standard uniform rate is applied, particularly in those cases where an employee does part of his duty inside his post of duty, has to make a mileage check of that, then take speedometer ratings for the part that he goes outside the city limits, and creates difficulties in audit, and a lot of record keeping—which can be saved with a uniform rate. We feel that the 5-cent rate, based on the usual commercial prices for drive-it-yourself cars, and things of that sort, is a justifiable rate. And we are recommending that a uniform rate of 5 cents be established.

Mr. WHITTINGTON. What are the changes in the present law then?

Mr. LAWTON. It has changed the mileage within the post of duty for those agencies which have it from 3 cents a mile to 5 cents a mile, and in the case of the Housing Administration, from 4 cents a mile to 5 cents a mile.

Mr. WHITTINGTON. And leaving the outside the same?

Mr. LAWTON. The outside will remain the same.

Mr. WHITTINGTON. That is bound to increase the cost and you think it is offset by a decrease in the administrative cost?

Mr. LAWTON. It will be at least partially offset, but how much that would be, I could not guess. The second change is the ferry fares, the bridge and tunnel tolls, which is the last sentence of that.

Mr. WHITTINGTON. That is what change? We want them all.

Mr. LAWTON. That provides a reimbursement for the actual cost of those fares, ferry, bridge, road, and tunnel tolls. That I believe in some cases exists and in other cases it does not exist. It has to be paid in addition to the mileage cost.

Mr. ELLIS. If somebody goes to New York, he has to pay to go through the Holland Tunnel. The same applies when he crosses the

ferry down at Hampton Roads. And occasionally throughout the country there are road and bridge tolls, but I do not think they are very frequent.

Mr. LAWTON. One particular case is in San Francisco, driving from Oakland to San Francisco, the person has to cross either the Golden Gate or the Bay Bridge.

Mr. WHITTINGTON. What is the present rate on motorcycles?

Mr. LAWTON. Two cents a mile for motorcycles.

Mr. WHITTINGTON. So you do not make any change there?

Mr. ELLIS. Yes, there is one significant change there in that very respect.

Mr. WHITTINGTON. You have given us the only change then, substantially, and that is from 4 to 5 cents?

Mr. LAWTON. Three to five generally.

Mr. WHITTINGTON. I mean from 3 to 5 generally within, and paying in addition thereto the toll for bridges.

Mr. LAWTON. Yes.

Mr. WHITTINGTON. What do you pay now for those things?

Mr. LAWTON. They are included in the mileage in some cases. In the case of the Census Bureau and the National Housing Agency, they have the authority to pay those tolls to employees.

Mr. WHITTINGTON. It is generally included in the mileage?

Mr. LAWTON. Generally included in the mileage, but some agencies have authority to pay them in addition to the mileage. This makes it uniform.

Mr. WHITTINGTON. Does the rate, the outside rate of 5 cents which now obtains under the law, aggregate a whole lot more than the inside rate, or not?

Mr. LAWTON. Oh, yes. The outside rate is general. The inside rate is specific to a number of agencies. It is not a general provision.

Mr. WEITZEL. Therefore, this would have the effect of extending that inside mileage rate to all agencies, whether or not they now have any authority to pay inside the official station.

Mr. WHITTINGTON. Well, are there very many who do not have authority to pay inside the official station?

Mr. LAWTON. The Department of Commerce—Bureau of Census and Civil Aeronautics—Post Office Department, Treasury Department, Bureau of Customs, Office of Defense Transportation, Office of Price Administration, Office of Scientific Research and Development, Selective Service, Smaller War Plants Corporation, War Production Board or Civilian Production Administration, War Relocation Authority, and War Shipping Administration.

Mr. WHITTINGTON. They do not get it inside now?

Mr. LAWTON. They do get it. And the Department of Justice, the judiciary, and the Federal Housing Administration get 4 cents inside.

The CHAIRMAN. That is their own car?

Mr. LAWTON. For privately owned car, the cars used by the employee; when rather than use the Government car, the employee uses his own car.

The CHAIRMAN. Do you not find that saves money in the long run?

Mr. LAWTON. For most of the agencies that have that authority, it does, because there are inspectors or law enforcement agents and Census Bureau operators, and so forth, who have a large number of

people to see in a city. If they use a car, they can cover a great deal of territory. If they have to depend on public transportation, they do a considerably less amount of work per day. They cover a much smaller number of stops or individual conferences.

The CHAIRMAN. You hear a lot of complaint about cars operated by Government chauffeurs, Government-owned cars, taking maybe four different people to appear before a committee or in hearings, or something like that. They will have four cars with four drivers sitting all day. If they owned their own cars, it would not take so much money to pay for it.

Mr. WEITZEL. But the agencies other than those mentioned by Mr. Lawton would have authority to reimburse actual expenses to their people for the use of their own cars where there is authority for the maintenance and operation of motor vehicles in their appropriation.

So this does not mean that only these agencies can authorize their employees to use their privately owned automobiles at their official stations, but this authority would convert all these remaining agencies probably from the actual expense basis to a mileage basis, which is easier to administer.

The CHAIRMAN. Do you have protection for the Government, where a fellow could not just go out and go on a pleasure trip of his own; he would not be able to turn in for mileage? It must be an official trip?

Mr. LAWTON. Yes; the regulations must provide for it. Because they certainly are not going to spend their agency funds allowing a lot of people to joy ride in automobiles.

Mr. WEITZEL. You have the same problem you now have, even on the actual expense basis, of avoiding abuses. And that is a matter of careful administration.

Mr. WHITTINGTON. No other changes are made here, except that you are going to put some people on an allowance who do not get it now?

Mr. LAWTON. You are going to put people on a mileage basis where they now may have it on an actual expense basis in a great many instances.

Mr. ELLIS. May I suggest there is one very important change in all the mileage? The present law says you can pay 5 cents a mile if it is determined to be more economical. Now, this draft leaves out the word "economical," which means that you no longer have to compare in order to see, say, in traveling from here to Philadelphia or from here to Harrisburg, whether the mileage is actually more economical to the Government than travel by rail would be.

Mr. CHURCH. Is it your recommendation that we get away from that necessity?

Mr. ELLIS. We recognize that now and then there would be a few dollars difference.

Mr. CHURCH. How much difference?

Mr. ELLIS. Maybe a few dollars difference.

Mr. CHURCH. A few dollars difference in each case?

Mr. ELLIS. I would not say in each case. Very frequently and very commonly, the mileage rate is more economical. For example, if a man has to go to a number of points out in the country or go to an

aircraft plant located far away from the town, this saves taxi bills when he gets there. But the effect of the enactment of this bill would be to eliminate the need for that comparison and to leave the question up to administrative supervision. In other words, if a man had a trip to the west coast for a 2-day conference in Los Angeles, we would not expect that any administrative office would authorize him to drive his car out there and back. It would not only take more money, but it would also take a lot more time. On the other hand, if a man has many side trips, a dozen calls here or there, where it would be tremendously expensive to wait for rail connections, then it ought to be within administrative discretion to use the method that is more economical.

But this does not require it. That is the point I want to make.

Mr. WHITTINGTON. Do you think that should be clarified so that if a man makes a trip from here to Los Angeles, he could not be allowed 5 cents a mile?

Mr. LAWTON. Well, this does not say he is allowed 5 cents. It says "not to exceed 5 cents." Now, just as an example, what we have done here in a number of cases in the last year or two: where the transportation situation has been so bad, it has been so difficult to get reservations that we have authorized the use of personally owned automobiles for travel to a point, say, 300 or 400 miles from Washington. But what we have allowed is a rate of 3 cents a mile—not 5 cents. We have given the employee 3 cents, or the equivalent of railroad fare—recognizing that he had to be there at a certain time; that it was very difficult to get reservations; and that there was no increase in cost to let him use his car. It was of benefit to him in part, because he had a more comfortable method of transportation. But we only gave him the equivalent of railroad fare. We gave him the mileage figure based on the railroad cost.

Mr. WHITTINGTON. Does this section 3 make any other change in the law?

Mr. ELLIS. There is one small change. It allows mileage to persons rendering service to the Government who would not now be eligible, because they are not Government employees. It is a rare situation, but that is believed to be desirable.

Mr. LAWTON. That same provision now exists with respect to certain types of employees, dollar-a-year in the independent offices bill.

Mr. ELLIS. But this would cover people who are not employees at all.

Mr. WHITTINGTON. What changes does section 4 make in the existing law, and does it increase or decrease the cost to the Government?

Mr. LAWTON. Section 4 is identical with the present provisions with respect to travel outside the continental limits of the United States, and removes the existing limitation, or at least suspends the existing limitation on the \$7-a-day limit.

At the present time, the travel expenses, per diem expenses, for employees are varied according to the country and the difference in the value of currency of that country as compared to the value of currency here, or the cost of living in that country as compared to the cost of living here. For example, in Venezuela, the per diem is now \$13.

Mr. MERRY. It jumped from \$8 to \$13.

Mr. LAWTON. In China, it has been \$18. In Russia, it was as high as \$18. In some countries, it is below the \$7 limit. It is around \$6. That is true in some of the South American countries.

Recognition of the present variance in the cost of living in all of these countries during the war and in this postwar period has been that those costs are not going to be stabilized for some years to come.

Mr. WHITTINGTON. Why should that payment be made at all? Supposing they are stabilized?

Mr. LAWTON. Of course, it provides that when it is authorized in the appropriation or other act, those expenses——

Mr. WHITTINGTON. But once we have raised, you know it stays there as a general rule. If we raised it to inflationary heights, it would be awfully hard to reduce it.

Mr. LAWTON. Well, it is not a uniform figure in these countries. We are varying it just as we do cost-of-living allowances to employees. We vary it according to the difference in costs in the various countries.

Mr. WHITTINGTON. I think that would be proper, but I am not sure I understand your explanation of the changes in the law. It only applies to outside?

Mr. LAWTON. Outside the continental United States.

Mr. WHITTINGTON. And the present law is \$7 except for new changes?

Mr. LAWTON. The present law of course for the last several years has been the language in the independent offices bill. It is stated that the rate shall be determined by the President without regard to the former law.

Mr. WHITTINGTON. What will this do now?

Mr. LAWTON. That will continue it on that same basis.

Mr. WHITTINGTON. In other words, if there is no change in it, the rate is \$7? If the President under the existing appropriations bill finds it should be changed, then he increases it or decreases it temporarily? Have you any less than \$7?

Mr. MERRY. In Mexico and several other countries, the maximum is \$6.

Mr. WHITTINGTON. And the law is \$7 or a maximum of \$6?

Mr. LAWTON. Not to exceed \$7. The agency had the authority to fix that rate.

Mr. WHITTINGTON. Under existing law, without the limitations of the Independent Appropriations during the war, the amount is fixed not to exceed \$7? And in any of those appropriations acts, because of the war and changes and things of that sort, the amount may be fixed regardless of the \$7 limitation? And this would perpetuate that?

Mr. LAWTON. It would have to be included in the appropriation bill.

Mr. WEITZEL. The Appropriations Committee would have control over how high the rate was.

Mr. LAWTON. The Congress can change it in the appropriation bill at any time. I mean they could change it annually if they wanted to. They would have that power.

Mr. WHITTINGTON. I am not clear about this section at all.

Mr. ELLIS. This refers to what is now temporary law, and would make it permanent.

Mr. WHITTINGTON. I do not see why we would want to make a permanent law in a period of inflation in these countries.

Mr. LAWTON. You get into this the same question of someone getting up and making a point of order against the provision and throwing it out.

Mr. WHITTINGTON. I——

Mr. CHURCH. Is this a restriction on the appropriation?

Mr. LAWTON. This is not a restriction. It is an authorization.

Mr. CHURCH. Then, it becomes germane when the Appropriations Committee considers it?

Mr. LAWTON. No; it is subject to a point of order; because it is legislation on an appropriation act at the present time.

Mr. CHURCH. Until you have authorization?

Mr. LAWTON. Until you have this sort of a provision enacted into basic law.

Mr. WHITTINGTON. Frankly, I am inclined to think that is one point at which there should be a special rule. But I believe we ought to have a limit for ordinary times.

Mr. WEITZEL. That could be provided by limiting the application of this provision by saying "until June 30, 1948," then letting them come in later with an amendment if they found the conditions still obtained.

Mr. LAWTON. I think that would be desirable rather than eliminating it from here.

Mr. WHITTINGTON. All right. Something should be done to it.

The CHAIRMAN. Where would you put that limitation?

Mr. WHITTINGTON. Let him work it out.

Mr. ELLIS. Page 4, line 17 or thereabouts.

Mr. WEITZEL. Right at the very front of the section.

Mr. WHITTINGTON. Now what does section 5 do, if I may ask? What changes in existing law and what increase to the Government?

Mr. LAWTON. That is the same as the provisions now appearing and that have appeared in section 201 (d) of the Independent Offices Appropriation Act.

Mr. WHITTINGTON. Pardon me. I am not asking you that. What change does it make in the permanent law, and state whether it is an increase or decrease to the Government?

Mr. LAWTON. Well, there is no permanent law as I understand it, governing these individuals. The first, of course, is a \$10-a-day subsistence allowance, which is completely different from any basic law. It applies to those persons who are serving the Government either without compensation or at \$1 per annum.

Mr. COCHRAN. And it limits them to \$10?

Mr. LAWTON. Yes.

Mr. COCHRAN. The Comptroller General suggests that the words, "unless a higher rate is specifically provided by law" should be inserted on line 18, page 5, after the word "and."

Mr. LAWTON. That also has been requested by the State Department, who now have authority for certain types of individuals for a specific provision of \$25 a day.

Mr. WEITZEL. This would make a general provision unless the law provided more—and we do not say appropriation—which is in line with 201 (d) of the Independent Offices Act of 1946. That is with the thought that there may be now or later certain agencies which have fundamental authority of law to pay up to \$25.

Now, the Comptroller General does not recommend raising the limit up to \$25, but if there is by law authority to pay \$25, this would conceivably modify that present authority of law down to \$10.

Mr. WHITTINGTON. Do you have any officials serving without additional pay in ordinary times?

Mr. LAWTON. You have some. Of course, at the present time, you have more than you do normally.

Mr. WHITTINGTON. I asked you if you haven't normally, who serve without additional compensation?

Mr. LAWTON. I do not know the exact numbers. There are a few.

Mr. WHITTINGTON. Do you have dollar-a-year men normally?

Mr. LAWTON. Relatively few.

Mr. WHITTINGTON. I do not think we should make a permanent law out of that, of those who—I do not think any man should work for the Government for nothing. And I think they have been the most expensive, as a rule, of our officers.

Mr. ELLIS. Could I suggest the big difference between the per diem paid here and that ordinarily payable? This applies primarily to consultants or experts who are perhaps hired only for a week at one time, or perhaps serve 2 days a week and then are never hired again.

For example, an expert from New York comes down here for a few days and does not give up his private business. The thought is that these are people who come from different points, leave their homes for work here for a few days at a time, live in a hotel and incur additional subsistence expenses because they are away from home. Thus they receive per diem while at the place of their work, not merely while traveling away from it.

The regular employee is expected to have his home where his job is. These people, being consultants or experts hired only occasionally, do not bring their homes here when they come down for this short service.

Mr. WHITTINGTON. I am talking about those who serve without compensation—the dollar-a-year men. Those are the officials I mentioned.

Mr. LAWTON. What will happen, I think: if you remove this provision, you will find those people who now serve on that basis, particularly those without compensation and who can get their expenses in coming down here, will appear as consultants and experts on a pay roll, and be paid a salary instead of on this basis and be paid perhaps more than this.

Mr. WHITTINGTON. That might be, but we should modify the language there as to without compensation and dollar-a-year men.

Mr. LAWTON. In this other thing, you have the same sort of thing. If you have a good reason for hiring a person who is an expert, and he has come to this as his place of duty—

Mr. WHITTINGTON. I think we should pay him, of course.

Mr. LAWTON. You fix his salary at a certain rate and you give him a per diem for coming here. If he does not get the per diem he is going to get practically no net return for his money and he will want a higher rate of compensation. You just shift the basis from subsistence and expense basis to a salary basis.

Mr. WHITTINGTON. And would you limit this section for any time, inasmuch as most of these people were during the war?

Mr. LAWTON. Well, the dollar-a-year men and the without-compensation men were considerably greater in number during the war, but they do exist in a much smaller degree in normal times. The other part of it as to the correction of the situation with respect to consultants and experts who travel from their homes should remain, I am sure.

Mr. WHITTINGTON. I have no objection to that.

Mr. CHURCH. Do you anticipate an increase in the number of fact-finding men, and would this simplify bookkeeping?

Mr. LAWTON. No; I would say, Mr. Church, that this bill was submitted here long before there was any fact finding in the picture at all, and it had no relation to the fact finders when we submitted the bill. Of course, people of that kind would be included, but it was not aimed at fact-finding commissions or did not even consider them in the picture.

Mr. CHURCH. You do not mean to say that there was not in mind such a thing as fact finders back of November 1, do you?

Mr. LAWTON. We submitted this back in August, I believe.

Mr. CHURCH. But you do anticipate the increase in these consultant experts, so-called fact finders, and therefore it would modify the work in the office of the Comptroller General. And this bill is introduced with a view of simplifying auditing, is it not?

Mr. LAWTON. Well, it is to correct situations which now exist because of the present wording of the law and the necessity of interpreting it in a certain way by the Comptroller. That is related to the consultants and experts.

Now, this provision now exists in law. It exists for next year in the independent offices bill, as it passed both the House and Senate. It will exist for next year, just as it is here.

Mr. WEITZEL. If you took out the provision for \$10 per diem for a person serving without compensation, the net result would be to place those people under section 17 of this bill, and those people under section 5 could be paid \$6 per diem while at their Government place of business, plus \$25 a day, say, as temporary salary; which would cost the Government \$31 a day; as against \$10 a day for which you could get them under the feature that we are discussing.

Mr. WHITTINGTON. That could be clarified, could it not? All right. What about section 6, and what change does that make in existing law? Did you have any further suggestions on 5?

Mr. ELLIS. No. I want to make it clear that the Comptroller General does not recommend that that \$10 should be put up to \$25. He merely says that you have some exceptions and if you want to preserve them you should make that change.

Mr. LAWTON. This section 6 affects the question of the availability of first-class transportation on a particular train. The Comptroller General has ruled that where lower berths are not available on a particular train, the employee must pay the difference out of his pocket between the cost of the berth and the cost of any superior accommodations on that train which he took.

It is held that it is permissible for an employee to delay his travel until lower berths are available. Of course, that may result in extra cost at times. Commenting on the proposed change, the Comptroller stated in a letter of April 30, 1945, to the Bureau that he is "in full

agreement with the premises stated in your letter"; that it is undoubted that an objective such as sought upon this draft of amendment would be a useful one in the interests of the United States, but that the proposed amendment cannot be accomplished by a change in the travel regulations. It must be by basic law.

Now, what it does really is permit a person who is supposed to make a train trip at a certain time and arrive on a given day at his destination, and there is no lower berth available—he can take the next higher class accommodation available on that train if he must arrive at his destination by a certain time, or if he is going to be delayed. For example, if a person is out in Chicago and his headquarters are in Washington and he cannot get a lower berth, he can take the next higher accommodation, and come on in here, rather than wait in Chicago and charge the Government for the additional time.

Mr. ELLIS. We think that is very desirable, and the rulings that are promulgated on it are based on the present laws which have flatly said that the allowances shall not exceed the lowest first-class rate. The law has no exception, and the Comptroller General has been unable to approve any accounts for that reason.

But there are frequent occasions where the traveler has no alternative in the matter except to take a compartment or a bedroom on a train, or perhaps, in a vessel, a cabin which is a little higher rate than what is regarded as the lowest first-class rate. It is hardly economical to the Government to keep an employee waiting for that accommodation.

Mr. WHITTINGTON. A certificate by the transportation company would be required that there was no other transportation available?

Mr. LAWTON. That would be covered by the regulation.

Mr. WHITTINGTON. You could modify it by the statute?

Mr. ELLIS. The regulation could well have that in there.

Mr. WHITTINGTON. What does section 7 do?

Mr. LAWTON. Section 7 provides the departments with authority to pay the travel expenses of new appointees and the expense of transporting their families and household goods from the places of residence to their first post of duty, and similar expenses for the return.

The State Department has it, and a number of the War agencies have had it during the war. Without the authority, what is done in a great many cases if a person is hired with the idea that he is going to take a foreign post, they will hire him in this country, put him on the rolls here, and then after he has been established on the roll, they will transfer him then to the foreign country. Then when they make his first appointment and he lives, say, in Chicago, they do not have to bring him to Washington, put him on the pay roll here and then authorize his transfer, and move him from Chicago.

Mr. WHITTINGTON. That applies to everyone except the State Department?

Mr. LAWTON. This provision applies to other agencies. The State Department has it.

The CHAIRMAN. In other words, if a man were to pass a civil service examination as a junior typist in San Francisco, for a job here in Washington, travel expenses would be paid from San Francisco to Washington; is that right?

Mr. LAWTON. No; this is outside the continental United States. Take it this way: That person passed a civil service examination in

San Francisco and was to get a post in a consulate on the west coast of South America or in China, that person could be paid from San Francisco to the post of duty in China or elsewhere.

Mr. CHURCH. Without coming down here and going back?

Mr. LAWTON. That is right. If it were an agency whose only offices were in Washington—of course, if they had a field office in San Francisco, they might hire a person in the field office there and then transfer him—but if it were an agency whose offices were in Washington, that agency would under present circumstances bring the person to Washington, pay their own expenses, and then pay the expense of transporting on from Washington to the new post of duty. This simply facilitates the recruiting of the individual for a foreign post.

Mr. WHITTINGTON. For foreign posts only?

Mr. LAWTON. And the cost, I would think, would be no different.

Mr. WHITTINGTON. What about section 8?

Mr. WEITZEL. Before we leave section 7, we might point out that certain agencies, the former OWI and the War Department particularly, have some problems in connection with this; because they have people that were sent abroad and are now abroad, but they would not be able to pay the expenses of the transportation of those people's families at this time if this legislation should be prospective only. In other words, if they should appoint a man a day after this law becomes effective, he could take his family. But a man that had been abroad for a year or two before and had not been able to take his family would not be able to have them with him without paying their expenses. There may be some way in which this could be amended to take care of situations of that sort retroactively, provided that the employee would agree, in line with the present proviso in the section, that he would continue to remain in the Government service for the 12 months following the transportation of his family to his place abroad.

Mr. WHITTINGTON. Would that cover everybody that is abroad in the foreign service now?

Mr. WEITZEL. That would cover almost everybody. The War Department particularly has had special authority, which is not affected, I understand, by this provision, in cases where employees went abroad and their dependents could not accompany them at the time.

Mr. CHURCH. Then, how far retroactively and how many have left the employ?

Mr. WEITZEL. I have no information on that. I have just been bringing it to the attention of the committee. I do not recommend one way or another on that.

Mr. WHITTINGTON. What does section 8 do, then? I do not want to go back.

Mr. LAWTON. Section 8 permits in the case of the types of articles mentioned, the applying the exchange allowances to the cost of the particular implement, the tractor or the motor-propelled or passenger-carrying vehicle, rather than converting that allowance into miscellaneous receipts. In other words, you can sell that or similar items and apply the cost to the purchase price in exchange. That is an authority which is at present in basic law in the Department of Agriculture, in several items in the Department of the Interior, the Navy Department, the War Department, and at the present time is carried

in total in the Independent Offices Appropriation Act for 1946 and 1947.

Mr. WHITTINGTON. It would increase the cost to the Government?

Mr. LAWTON. It would not change the cost to the Government.

Mr. WHITTINGTON. It would not change it?

Mr. LAWTON. In other words, you can, instead of paying the higher price for the article and putting your exchange value in miscellaneous receipts, complete the transaction in the one case paying a lower cost and give a part payment in trade.

The CHAIRMAN. In other words, for a trade-in on an automobile, if the automobile cost \$1,200 and the used car that you were trading in was at an agreed price of \$500, all you would have to pay is \$700, instead of paying \$1,200 and then converting?

Mr. LAWTON. Every appropriation act that authorizes the purchase of an automobile authorizes the exchange.

Mr. WHITTINGTON. What change does section 9 make in existing law?

Mr. LAWTON. Section 9 is this provision that eliminates or removes the limitations of less than \$100 on exemption from advertising. These exemptions from 3708, which is the provision that contracts for supplies and services must be advertised, now exists in rates varying from \$25 up.

Mr. WHITTINGTON. Up to what amount?

Mr. LAWTON. Up to \$500 in some cases. And, of course during the wartime, there was no limit on the War and Navy Departments in certain types of procurement. But this is intended to fix a standard rate of \$100 unless a higher rate is authorized by law.

Mr. WHITTINGTON. What else does it do?

Mr. LAWTON. It clarifies the fact that this provision does not apply to contracts for personal services of an individual under Government supervision. Otherwise, it is simply a restatement of existing law.

Mr. WHITTINGTON. I am not clear as to what you mean by that.

Mr. LAWTON. Under present law, without these exemptions from the revised statutes, when you purchase an article you advertise for bids. In the case of small purchases, that is a costly and somewhat laborious process, and it has been recognized in a great variety of statutes by Congress that there ought to be limitations under which you would be free from advertising.

Mr. WHITTINGTON. You do that now as to purchases of how much?

Mr. LAWTON. It varies according to the agencies involved.

Mr. WHITTINGTON. Well, what are they generally?

Mr. LAWTON. \$100 is probably the most common.

Mr. WHITTINGTON. What is the minimum?

Mr. LAWTON. \$25.

Mr. WHITTINGTON. What department? All right, go ahead if you do not remember. What is the maximum?

Mr. LAWTON. Of course, in the independent offices bill, again, there is this limitation.

Mr. WHITTINGTON. What is the maximum?

Mr. LAWTON. The maximum, as I remember it, is completely disregarded in the case of the War and Navy Departments during the war.

Mr. WHITTINGTON. Does that apply to similar functions of the War and Navy Departments.

Mr. ELLIS. The engineers.

Mr. LAWTON. Well, that—the limitation I am talking about—applies to military procurement.

Mr. WHITTINGTON. But would that apply to the civil functions of the Corps of Engineers? Would this limitation have \$100 apply to the civil functions of the Corps of Engineers?

Mr. LAWTON. Unless there is another rate authorized by law.

Mr. WHITTINGTON. Well, is there?

Mr. LAWTON. I think there is.

Mr. CARR. The War Department does have a basic \$500 limitation.

Mr. WHITTINGTON. What is there in here that excepts that?

Mr. CARR. There is nothing here that excepts that.

Mr. LAWTON. There is a suggestion for an amendment to this proposal.

Mr. ELLIS. We have a suggested amendment which would operate to raise all the present ones that are below a hundred up to a hundred and would preserve intact those that are over a hundred.

Mr. WHITTINGTON. What would you say about that?

Mr. LAWTON. I think that is desirable. It is our feeling that you have special instances and special conditions under which this amount may be very unrealistic and unworkable, and if Congress should decide in any case that they wanted a particular agency to have for a particular purpose even a greater exemption then the Congress should put that greater exemption in an appropriate law for that agency.

Mr. WHITTINGTON. What changes in section 10? Section 10 is new law altogether, is it not?

Mr. CARR. That is right.

Mr. LAWTON. Yes; section 10 is.

Mr. ELLIS. We had one suggested amendment.

Mr. WEITZEL. There is a rather important amendment on section 9. That is about extending section 3709 or the principles of it to sales by the Government. That has been recommended from time to time by the Comptroller General, and the suggestion that we have here would apply the provisions of 3709 to sales by the Government over \$100.

Mr. WHITTINGTON. As well as purchases?

Mr. WEITZEL. As well as purchases. And one further thing as to point 3 under this suggested amendment of 3709: "When only one source of supply is available and the Government purchasing or contracting officer shall so certify," that will change the present rulings of the Comptroller General or will affect them, because the Comptroller General has determined that the best way to ascertain that is to advertise.

This would substitute a certificate by the contracting or purchasing officer. And the Comptroller General contemplates that in making that certificate, the contracting officer will give some indication of the facts upon which he bases his certificate.

Mr. CARR. That is the Comptroller General's language that we have here.

Mr. WEITZEL. We do not object to that at all.

Mr. WHITTINGTON. What is section 10? That is new law? What will that cost the Government?

Mr. ELLIS. If you make that one slight amendment, we suggest that you put in the word "such." So that the only people entitled to fees are those who are called before the Government.

Mr. WHITTINGTON. I just wonder what is the occasion for that. Is that right or wrong, gentlemen?

Mr. LAWTON. I think if these offices are going to have the power to subpoena witnesses, it will require a person to come just as a court subpoenas to come, then they should reimburse them.

Mr. WHITTINGTON. How do they do it now?

Mr. CARR. This is taken care of principally in the appropriation language.

Mr. WHITTINGTON. Who is given the right as to that?

Mr. ELLIS. FCC and Federal Trade, I believe, have it.

Mr. WHITTINGTON. Who else?

The CHAIRMAN. Interstate Commerce, I believe.

Mr. LAWTON. National War Labor Board had it and Office of Defense Transportation.

Mr. WHITTINGTON. Those are all temporary agencies, though.

The CHAIRMAN. FCC and Federal Trade.

Wouldn't the language in the present form make it possible for a Government bureau to hold hearings in Washington and bring their witnesses from San Francisco, and it would be much cheaper if the hearings were held in San Francisco?

Mr. LAWTON. Well, I would think that the Government organization concerned—take the case of the Board of Tax Appeals or the Tax Court: Their members go out on a very definite circuit, and they will go to San Francisco and hold hearings. One will go there, one to New Orleans, one to Chicago, and they will hold hearings in those places periodically.

Mr. WHITTINGTON. They do not summon witnesses, do they?

Mr. LAWTON. Yes; there will be witnesses appearing at those hearings.

Where the agency exercises a quasi-judicial function, in practically all of these they will have witnesses appear before them.

Mr. WHITTINGTON. The chairman is talking about these folks that are not required to go out. They are required to go out by the law. They are required under the fundamental law, as I recall, to hold these hearings in convenient parts of the country.

The CHAIRMAN. Assuming we pass fact-finding legislation to try to reach settlements of strikes, the fact-finding men could sit in Washington and summon witnesses in Seattle to come here to the District of Columbia?

Mr. LAWTON. I imagine that if you found them doing that sort of thing, you would not give them the money to do it the next year.

The CHAIRMAN. That is true, but I think this language would permit it.

Mr. CARR. Mr. Chairman, I do not think that this language enlarges the power of an agency to subpoena.

The CHAIRMAN. No.

Mr. CARR. It simply says when they are subpoenaed, they should be entitled to fees.

The CHAIRMAN. But could we not write some safeguards in here and say that the hearings should be held near where the witnesses were?

Mr. WHITTINGTON. Have you any suggestions there?

Mr. ELLIS. You have of course the fundamental consideration that if you authorize a department to call a private citizen before it, it may be thought, in fairness to the citizen, that he is entitled then to get something for it. I do not think now they are paid except in the few special departments that have this authority.

Mr. CARR. We write in the appropriation language authorization for the payment of witness fees. But generally we do not stipulate the same fees as the courts, there is a standard fee for courts. And this is simply putting into basic law what is in one or more of the appropriation acts.

Mr. WHITTINGTON. But I am like the chairman. I do not want to encourage these departments to exercise this right of subpoena on the theory that we are going to pay everyone they bring up here.

Mr. LAWTON. You are not authorizing them to do anything that they do not now have the authority to do. You are taking care of the payment of the expenses of the individuals—the individual citizen who is called upon to appear before one of these boards or commissions. It is treating him just the same as if a court had summoned him. He is bound to come or violate the law.

The CHAIRMAN. Well, if we gave another department the power of subpoena, why could we not in law give that authority right in the provisions for payment of witnesses?

Mr. LAWTON. This was simply to put it on a uniform basis as to all of them and put it on the same basis as the court fees.

Mr. WEITZEL. This would have the effect of amending the basic law of any department which is authorized to summon witnesses without this authority to pay. One department or one establishment which does have authority substantially the same as proposed here is the Tariff Commission. The law in the case of that commission provides that witnesses summoned before the commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

Mr. LAWTON. This is simply to provide a uniform treatment for those people. That is now somewhat at variance because of the provisions in appropriation bills.

Mr. CARR. I think the Comptroller General is proposing that these fees only be paid to those who are subpoenaed.

Mr. WHITTINGTON. Now what does section 11 do? That just authorizes the advances, does it?

Mr. LAWTON. Yes, where they are authorized by the appropriation concerned or other law, it permits advances to be made. It is to take care of situations where those are provided in appropriation acts, and to remove the point of order.

Mr. WHITTINGTON. Well, I do not want to give the appropriation committees power to pass laws.

Mr. CARR. This is a qualification, permitting the advance of funds by appropriation language without being subject to a point of order.

Mr. WHITTINGTON. Mr. Chairman, do you want to come back this afternoon?

The CHAIRMAN. Do you think we can finish?

(Discussion off the record.)

The CHAIRMAN. Let's come to order, please.

Mr. LAWTON. As to section 12, that authorizes the head of the department to delegate to officials, subordinate officials in his department, certain powers now vested in him to take final action on matters relating to the general administration of personnel of his department.

Mr. WHITTINGTON. Has that been covered by an appropriation bill or other acts?

Mr. LAWTON. It has been covered in a number of cases by other acts.

Mr. WHITTINGTON. By other acts, but not by appropriation bills?

Mr. LAWTON. In some cases it is in appropriation bills.

Mr. CARR. The war agencies appropriation acts have substantially similar provisions and other appropriation acts contain provisions for delegation.

Mr. WHITTINGTON. I know that as to these emergency laws.

Mr. LAWTON. Agriculture has it quite extensively, and Interior.

Mr. WHITTINGTON. All right; section 13—how does that strike you? What does that mean?

Mr. LAWTON. Section 13 authorizes appropriations for the purchase of special clothing and protective equipment. That is provided in wide variety of appropriation acts at the present time, and this is simply providing a basic authority for that to be included in appropriation acts. It is rubber gloves, rubber boots, asbestos clothing, things of that sort, where persons are engaged in hazardous occupations.

Mr. LAWTON. It does not change that.

Mr. WHITTINGTON. Have you gentlemen, Mr. Ellis, any language as to that?

Mr. ELLIS. We haven't suggested anything.

Mr. WHITTINGTON. How about section 14? What changes does that make in existing law?

Mr. LAWTON. Section 14 simply authorizes appropriations to be made for the payment of cash awards. Now, there are a number of appropriations where that language is carried. It is again using a basic statute to avoid point of order.

Mr. WHITTINGTON. Are those appropriations not primarily for the emergency or for the war?

Mr. LAWTON. No. There are several basic acts. The Interior Department has it.

Mr. ELLIS. We have a suggested substitute in the case of awards to civilian employees for suggestions, which you may wish to consider.

Mr. WHITTINGTON. Who makes these now?

Mr. LAWTON. The Army, the Navy, the Interior Department, the Maritime Commission, have it both in basic law and in appropriation acts.

Mr. WHITTINGTON. Is there a limitation on the amount they pay?

Mr. LAWTON. There are limitations in those acts; yes. This would not affect the limitations. This grants no authority to pay these awards. It simply provides that whenever the Congress decides that appropriation to pay these awards, that is not subject to a point of order.

Mr. WHITTINGTON. But it must be authorized by law? If authorized by law, it could not be subject to a point of order.

Mr. WEITZEL. I feel, Mr. Whittington, that this would extend to all departments the authority to have in their appropriation acts provisions for payment of cash awards. And this would give a foundation for those provisions. That would extend to all departments the authority that some now have under special law, and others now have in appropriation acts. It would remove the possibility of a point of order against those appropriation provisions. And that is why the Comptroller General feels that perhaps it would be better to have a general provision of law limiting the amount that can be paid for one award and by any one agency, such as the draft that was submitted by the Bureau of the Budget a year or so ago, and commented on by the Comptroller General. That draft would assure that whatever department paid the awards, the amount to be paid would be limited. This would allow an unlimited appropriation provision.

The CHAIRMAN. In line 6, why would you not strike out the words "or other law" if this were to be a blanket authorization?

Mr. LAWTON. This is not a blanket authorization, in the sense that an agency could now spend the money that it has for payment of awards. This simply says that if the agency submits an appropriation request, and that is passed by the Appropriations Committee, with whatever limitations are included in the request or by the committee, that that appropriation would not be subject to a point of order.

Mr. CARR. I think it would be better to say "within the limits of an appropriation specifically made therefor."

Mr. WHITTINGTON. Get a draft on that. Now what does section 15 do?

Mr. LAWTON. Section 15 would remove the possibility of points of order against appropriations made for entertainment.

Mr. WHITTINGTON. Mr. Chairman, that is too indefinite—"when-ever authorized in an appropriation or other law." I just think if the State Department does that, they have to have authority of law.

Mr. LAWTON. The State Department has authority to do that now. Now, this does not provide anything.

Mr. WHITTINGTON. Whenever authorized in the appropriation?

Mr. LAWTON. It has to be authorized somewhere else than here.

Mr. WHITTINGTON. But that is peculiar language.

Mr. LAWTON. You have appropriations now for Civil Aeronautics, the Office of Inter-American Affairs, War Shipping Administration, the War Production Board, or Civilian Production Administration, and the Petroleum Administration, as well as the Department of State.

Mr. WHITTINGTON. You have those authorized by law?

Mr. LAWTON. Authorized by appropriation acts.

Mr. WHITTINGTON. All those are emergency agencies, except the Department of State, practically.

Mr. LAWTON. Civil Aeronautics is not.

Mr. WEITZEL. The Comptroller General certainly does not favor unlimited expenditures for entertainment. Another way in which this could be handled would be to give certain agencies definite authority of law to make expenditures for entertainment.

Mr. WHITTINGTON. I would prefer to give definite authority of law.

Mr. CARR. Mr. Whittington, they come in with tears in their eyes and say they cannot do business unless they can entertain.

The CHAIRMAN. We had better recess until 2:30.

Mr. WHITTINGTON. Let me ask this first, Mr. Chairman: In section 16, is there any change in existing law or any increase in cost to the Government?

Mr. CARR. That simply authorizes writing into appropriation language exceptions to the provisions of law mentioned.

Mr. LAWTON. That would depend on what appropriations were made. There is a present restriction of 15 percent for every year other than the first, I believe, on the rental cost as compared to the value of the space rented, and in the first year an additional amount of 25 percent of the rent, which takes care of rearrangement of space and partition work, and things of that sort.

Mr. CARR. The first part of this is the 25 cents a foot limitation on storage space.

Mr. WHITTINGTON. On what?

Mr. LAWTON. Twenty-five cents a foot limitation on storage.

Mr. WEITZEL. Dead storage, that is, where there is no personnel.

Mr. CARR. This makes no change in existing law.

Mr. WHITTINGTON. I am thinking that the Appropriations Committee ought to confine themselves to laws with respect to rentals and repairs. If it is necessary to change the fundamental law—

Mr. CARR. Without this section, whenever an exception to the law is desired in appropriation text, accompanying basic legislation would be required to meet a point of order.

Mr. WHITTINGTON. The law would authorize rentals or repairs, would it not.

Mr. CARR. The section, of course, applies to the rental of private buildings.

The CHAIRMAN. Should we not have a limitation?

Mr. CARR. There are limitations but they are believed to be too low.

Mr. LAWTON. There are specific circumstances that come up and are presented to the Congress, reasons why that limitation has to be exceeded at a particular time.

The CHAIRMAN. What I am thinking: If we do have any specific cases, shouldn't that go to the Committee on Public Buildings and Grounds and let them make their studies and raise the limit if necessary? This just makes it blanket. Then it leaves it up to the Appropriations Committee.

Mr. LAWTON. It could be done, but the reason, in a great many of these cases, that these provisions appear in appropriations acts is that conditions change rapidly.

Mr. WHITTINGTON. Well, I do not want to make a permanent law for conditions that arise out of the war in any of these matters.

The CHAIRMAN. A lot of these committees are jealous of the Appropriations Committee's trying to write legislation.

We will come back at 2:30.

(Whereupon, at 12:30 p. m., hearings on above-entitled matter were adjourned, to reconvene at 2:30 p. m., same day.)

AFTER RECESS

The CHAIRMAN. The committee will come to order.

When we recessed this morning, we had reached section 17 on page 9 of the bill.

Mr. COCHRAN. Now, Mr. Ellis just told me a minute ago, Mr. Chairman, that during the recess they had conferred with the Bureau of the Budget, and with one or two exceptions, they are in full agreement.

The CHAIRMAN. That is right. But I thought we would let Mr. Lawton complete his statement. He just lacks two or three sections.

Mr. LAWTON. Section 17 is another of these sections which would make in order a provision in an appropriation act authorizing the expenditure of moneys for the hire of consultants, without regard to the Civil Service and classification laws.

The CHAIRMAN. Would that affect stenographers? I notice it says, "including stenographic and reporting services."

Mr. LAWTON. That is contract stenographic and reporting services, where you hire a firm.

Mr. CARR. I think that "and" ought to be out of there. It ought to be "stenographic reporting services."

Mr. ELLIS. I think that would be better.

The CHAIRMAN. That is on line 24, after the word "stenographic." You think we should strike out "and"? I was just wondering if that "and" being in there did not make it possible to hire an ordinary stenographer.

Mr. WEITZEL. And on line 2, page 10, the same.

The CHAIRMAN. Is that broad enough, that "stenographic reporting services," to include all types of stenographic services, like stenotype operators, such as this gentleman we have here?

Mr. LAWTON. I am sure it would include any kind of shorthand transcription.

Mr. COCHRAN. I agree with the Comptroller General. I am always opposed to leaving it wide open as to what you can pay. I have no objection to section 17 whatever, but unless you put some kind of a limitation on what they can pay for these experts or consultants, including stenographic reporting services, by contract, then they are at liberty to pay whatever they please.

The Comptroller General suggests that on page 10, line 2, after the word "laws," there be inserted "(but at rates not in excess of the per diem equivalent of the highest rate payable under the classification act, unless other rates are specifically provided in the appropriation or other law)."

What is the objection to that?

Mr. LAWTON. None.

The CHAIRMAN. Of course, we have a limitation of the amount that can be paid per hundred words already.

Mr. ELLIS. This is on the other class, the "experts or consultants who are hired intermittently." That is what this refers to. And without some such limitation they can be paid almost anything. That may be all right in extreme cases. But the top grade until the recent raise was about \$37 a day.

Mr. LAWTON. About \$37 a day.

This next section, section 18, is merely to eliminate those three words from being repeated thousands of times in appropriation language. The agencies are entitled to and are given the money to purchase automobiles. They necessarily would maintain, drive, and operate them. And under the present statutory provision, we have to repeat this in thousands of appropriation items every year.

We are just simply attempting to cut that out. We are attempting to cut out the repetition of that phrase so many times. It is just saving a little printing money; that is about all that amounts to.

Mr. WEITZEL. The Comptroller General has made a statement about that section, in which he says upon what now appears he would not be inclined to recommend enactment. That is for the reason that would be merely a piecemeal approach to the question of purchasing, maintenance, and operation of automobiles.

Also, perhaps there should be considered the question of aircraft, which is a related question.

However, he definitely would not be opposed to consolidating and perhaps bringing up to date the present laws in this regard. I do not know whether that can be done in this bill or whether it would have to wait for another bill.

Mr. LAWTON. This is not a matter of such moment that we have any tremendous amount of feeling about it at all.

Mr. WEITZEL. Mr. Chairman, Chairman Cannon of the House Appropriations Committee said, I think, that he might be opposed to this particular section.

Mr. COCHRAN. As I recall, we passed a bill here that Mr. Randolph introduced to permit travel by airplane.

Mr. ELLIS. This is the purchase of an airplane by a department.

Mr. LAWTON. Government-owned aircraft.

Mr. ELLIS. Whether to have the same restriction on aircraft purchase as you have on the purchase of automobiles.

Mr. WEITZEL. Section 203 of the independent offices act provides that except for appropriations for the military and naval establishments, no appropriation for the fiscal year 1946 in that or any other act shall be available for the purchase, maintenance, or operation of any aircraft unless specific authority for purchase, maintenance, or operation thereof has been or is provided in such appropriation.

Now, I do not know what the plans are for a provision of this type, whether it is proposed to continue this in the annual appropriation, but it seems appropriate to consider whether it could come into this bill with the other provisions of the bill. This is one of those limitation provisions which might not be subject to a point of order.

Mr. LAWTON. It is not.

Mr. CARR. But as I understand it, the Comptroller General is not opposed to the substance of this. He is simply opposed to the approach.

Mr. WEITZEL. In a sense. Now, there is the question which I think Chairman Cannon is interested in, as to whether it is in the public interest to remove these words from the books, from the statutes.

The CHAIRMAN. Mr. Cannon addressed a letter to me on November 3, 1945, pointing out several suggestions. And with reference to section 18, his letter states this: "It might be in the public interest to eliminate this section."

Mr. LAWTON. We have no quarrel with that particularly. All we have done here is just eliminate a repetitious phrase from the appropriation language. And if you want to strike it out, it is perfectly agreeable.

Mr. COCHRAN. But what do you think about that?

Mr. ELLIS. We were just going to make a suggestion. We tried overnight to fix up a draft. We wondered if it would be possible

in effect to leave that open, leave it out of the bill today, in the thought that we could perhaps get together with these gentlemen on a provision that everybody could agree with.

Mr. COCHRAN. Suppose we follow that policy. Mr. Cannon says it might be in the public interest to eliminate this section. He goes no further as to why it might be in the public interest. It might be in the public interest to retain this section if we knew the facts.

Mr. ELLIS. The statutes have been accumulating since 1905, I think, on the subject. It does seem that it might be time to have a current reconsideration of the whole subject matter, bringing it up to date to meet the current needs.

Mr. COCHRAN. Supposing you and Lawton get together and try to agree on it.

Mr. ELLIS. We would be very glad to do that.

Mr. COCHRAN. What do you say, Mr. Chairman?

The CHAIRMAN. That suits me.

Mr. Lawton, did you see the proposed draft of the bill that the National Advisory Committee for Aeronautics sent up?

Mr. LAWTON. I did not see it myself.

The CHAIRMAN. It is along this same line, and I am just wondering if we should not consider it in this bill rather than as a separate piece of legislation.

I will read it to you:

A bill to authorize certain administrative expenses for the National Advisory Committee for Aeronautics, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations for the National Advisory Committee for Aeronautics, established by the Act of March 3, 1915 (49 U. S. Code 241), are hereby authorized for purchase and maintenance of cafeteria equipment and for additional construction and equipment at the laboratories of the committee.

SEC. 2. The transfer of aircraft from the Army and Navy to the committee without charge is authorized when so specified in the appropriation for said committee.

Mr. COCHRAN. That should not go in here. You are not dealing with one particular agency in this bill. You are dealing with all the agencies of the Government.

Mr. LAWTON. There are a lot of bills of that sort that are coming up, you might say, as companion pieces to this general legislation. And they are going to the various legislative committees having jurisdiction of the particular agencies: the War Department's bill of that kind will go to the Military Affairs; presumably, the jurisdiction over the Advisory Committee for Aeronautics is in this committee, and for that reason that bill was referred here. There are a number of those individual bills dealing with problems of particular agencies, just as this bill deals with common problems which are going to various committees up here.

The CHAIRMAN. You think this should be introduced separately?

Mr. LAWTON. I think so, since all the others are separate.

Mr. COCHRAN. They are greatly enlarging their activities.

The CHAIRMAN. It was in this file, and it made reference to this, so I thought it should be brought to your attention.

Mr. LAWTON. I think this bill is better if it is on a general basis, and then each particular agency can be taken up as to its particular needs.

Now, the next section, section 19, repeals statutes or parts of statutes relating to various operating phases of government. Section 192 of the Revised Statutes is a limitation on departments on the purchase of newspapers. It was enacted in 1842. Section 1779 is a section which limits expenditures by other departments as to purchases of books, and so forth, not necessary for the administration of the office. This was enacted in 1839.

And it is hard to conceive that in current operating practice there is not a need which can be demonstrated by these various agencies for newspapers, periodicals, et cetera, that they can demonstrate to the committee and receive appropriations for.

Now, in most cases, the amounts are limited in the act as to the total amounts that can be spent for those purposes.

Mr. COCHRAN. The Comptroller General offers no objection to the repeal, but it is advisable that we have that because, if the bill is presented and somebody asks a question, of course, the Comptroller General's letter explaining section 19 will immediately explain what sections 192 and 1779 are. But, as long as we have that, I see no objection to leaving it in because you can answer any question that might be propounded on the floor.

It seems to be in agreement with the Comptroller, and he says it is minor, so why not leave it in?

Mr. LAWTON. And section 3 of the act of 1898 refers to lawbooks, books of reference, or periodicals, which are now repeated time after time in appropriation acts. Practically every agency has a need for those items. Practically every agency has authority to purchase them, and we see no need for specifically repeating that language in appropriation acts. It is not a matter of great moment. It is something that simply will eliminate some surplus verbiage from appropriation language.

Mr. WHITTINGTON. What is the limitation on the purchase?

Mr. LAWTON. There are sometimes limitations; other times there are no limitations.

Mr. WHITTINGTON. What would be the limitation in the statute?

Mr. LAWTON. There is no limitation now.

Mr. WHITTINGTON. I beg your pardon. Excuse me just a minute. Do you not have a limitation on the amount that can be spent for lawbooks in practically every authorization bill? Is there not some kind of a limitation in most of the authorization bills for lawbooks?

Mr. LAWTON. No; I do not believe so. It varies. Some have and a great many do not.

Mr. WHITTINGTON. Well, they get an amount for the lawbooks in their appropriations.

Mr. LAWTON. Frequently it is limited in the appropriation. If it is not limited in basic law, it may be in the appropriation act.

Mr. WHITTINGTON. Do they not appropriate so much money, even though they are authorized to buy lawbooks in every appropriation act?

Mr. LAWTON. Not specifically in every act. They do in some acts, and they do not in others. They simply put the phrase in the appropriation act: "Law books, books of reference, and periodicals," and the appropriation made is available for the purchase of those books without any limitation. Unless the limitation is specifically written into the text of the appropriation, there is no limitation.

Mr. WHITTINGTON. The total limitation is available to that whole department? In other words, \$5,000,000 to the Department of Agriculture would be available for the purchase of law books.

Mr. ELLIS. In theory, yes; but in practice, no; because that would mean that all the other objectives in the appropriation would get nothing, if all the money were spent for that one little item.

Mr. WEITZEL. The General Accounting Office appropriation for 1946 says: "Including travel expenses; procurement and exchange of law books and books of reference," etc.

Mr. WHITTINGTON. We know that. But do they not have a break-down of that in the appropriation?

Mr. LAWTON. Not necessarily in the budget. It may be included simply under supplies and materials.

Mr. WHITTINGTON. Suppose we want to reduce an appropriation: we turn to the clerk and say, "How much for law books?" and he will tell us.

Mr. LAWTON. He cannot tell you in the General Accounting Office, I am sure.

Mr. COCHRAN. As I remember it, there always was a break-down of some character. I remember time and time again when amendments have been offered on the floor of the House to reduce the amount that they could use for periodicals, law books, and so forth.

Mr. WEITZEL. You could put a limitation in in any amount that you please when the bill was before the Congress. But in many cases, the amounts for law books would be mingled with other items in the budget.

Mr. COCHRAN. It is generally under "Printing and binding," where you find that in the appropriation bill.

Mr. CARR. You may be referring to that amount of \$50 for newspapers and periodicals that Congress has inserted in the last few years. But that has no application here.

Mr. WHITTINGTON. What is the appropriation for the General Accounting Office, including law books?

Mr. WEITZEL. \$1,894,700.

Mr. COCHRAN. That includes everything?

Mr. WEITZEL. Yes, sir; it includes all miscellaneous expenses.

Mr. WHITTINGTON. I do not believe the Bureau of the Budget is going to send up a recommendation without giving some kind of a break-down.

Mr. LAWTON. There is a break-down, but in that break-down law books or books of reference will not be specifically set forth.

Mr. WHITTINGTON. What will they be set forth in?

Mr. LAWTON. Probably under supplies and materials.

Mr. WHITTINGTON. Well, there will be a break-down of the amount for supplies and materials, will there not?

Mr. LAWTON. That is right.

Mr. WHITTINGTON. And it would be bound to say, "Including law books."

Mr. LAWTON. No; the only place that specific language appears would be in the text as written there. And under that, there would be a classification of the purposes for which that is spent; so much of it is travel, so much of it is supplies, so much of it is contract services. There are various sorts of break-downs under the general objective classification. And there is no break-down given in the budget of the

internal components of any one of those subheads of supplies and materials.

In the justifications to the committee they may discuss the particular items. But if the General Accounting Office so desired, it could spend that million dollars for law books and books of reference.

Mr. WHITTINGTON. My understanding has been that that could not be done; that it was never contemplated that any one agency could spend a million dollars for law books; that those amounts were appropriated for all, and generally there was a break-down.

Mr. LAWTON. But that break-down is very general and will not specify those things.

Mr. WHITTINGTON. I do not think a break-down would ever contemplate your spending that much for law books.

Mr. LAWTON. Certainly not.

Mr. WEITZEL. The Congress can always put a specific limitation in.

Mr. WHITTINGTON. What is that in?

Mr. LAWTON. That is in 19 on line 16.

Mr. WEITZEL. But you cannot buy any law books or books of reference until there is that language in the appropriation.

Mr. WHITTINGTON. We are not going to argue that. But what I am trying to get at is that generally Mr. Cochran and I know that there has been a controversy about it. We understood there was either a limitation of \$50, as you state, or a break-down, that periodicals, newspapers—you know, the thing that arose in old WPA days.

Mr. COCHRAN. It came up in the appropriation for the Office of War Information. They had a tremendous argument.

Mr. LAWTON. We have limitation for newspapers. We took some of that outfit over. We have a limitation on newspapers of \$25,000.

Mr. WEITZEL. We ought to point out that in the case of this repeal, and also that applying to the newspapers, that will not prevent Congress in every annual appropriation act saying that \$50 should be the limit on newspapers.

Mr. WHITTINGTON. What is this section 192 and section 1779?

Mr. LAWTON. They relate to newspapers.

Mr. WHITTINGTON. What do they do? Is it a minimum amount?

Mr. LAWTON. There is a present authorization which says that a department is limited to \$100; and to \$30 annually for newspapers, pamphlets, not necessary for the business of the office.

Mr. WHITTINGTON. So what we do is to repeal it and leave it to the Appropriations Committee.

Mr. LAWTON. Yes.

Mr. WHITTINGTON. Now, what general law is there authorizing appropriations for newspapers?

Mr. LAWTON. The general law on newspapers is a limitation of a hundred dollars.

Mr. WHITTINGTON. Of which hundred dollars?

Mr. LAWTON. A hundred dollars for the department. Now, what has happened in specific cases: the committee will put in an amount greater than that for newspapers, and they will specify the amount.

Mr. WHITTINGTON. Excuse me just a minute. What statute is there that authorizes the department to subscribe for newspapers? Is it mentioned in this bill?

Mr. WEITZEL. Mr. Lawton, there is no general law, is there?

Mr. LAWTON. No general law. That is a prohibition.

Mr. COCHRAN. That is what you are trying to do here with this bill: to put in authorizations. Where you are carrying authorizations in appropriation bills that are now subject to a point of order. The objective of this bill, as I understand it, is to put language in so that when that language is embodied, it will not be subject to a point of order.

The question is: if there is no law, is it advisable to put the paragraph in?

Mr. ELLIS. In this particular section, we are taking the opposite approach.

Mr. LAWTON. Let me read this law.

Mr. WHITTINGTON. Is there any law authorizing the departments to buy newspapers now if we repeal these two sections? That is what I want to know.

Mr. ELLIS. The answer is "No," Mr. Whittington.

Mr. LAWTON. This present statute reads: "The amount expended in any one year for newspapers, for any department, except the Department of State, including all the bureaus and offices connected therewith, shall not exceed \$100, except where otherwise specifically authorized by law. But the foregoing provision shall not apply to the subscriptions to newspapers by the Military Information Division."

Mr. COCHRAN. When was that enacted?

Mr. LAWTON. In 1842.

Mr. WHITTINGTON. Is that part of an appropriation bill?

Mr. LAWTON. No; it is a statute, 5 United States Code, 102.

Mr. WHITTINGTON. Go ahead.

Mr. LAWTON. It says the amount expended in any one year shall not exceed \$100 except when otherwise authorized by law.

Mr. WHITTINGTON. The amount expended for a Department?

Mr. LAWTON. For newspapers.

Mr. WHITTINGTON. Unless otherwise authorized by law. Well, what is that, if that is not an authorization?

Mr. COCHRAN. It is an authorization, and it applies only to a department, but it would not apply to any other agency.

Mr. LAWTON. It does not apply to any other agency.

Mr. COCHRAN. In other words, it limits the departments, and the independent agencies are unlimited.

Mr. WEITZEL. That is right. It is in the form of a limitation. It might be construed as being an authorization up to \$100.

Mr. COCHRAN. For departments only. But as far as independent agencies are concerned, which have sprung up like mushrooms since the enactment of this statute——

Mr. WEITZEL. There would be no limitation.

And I am inclined to think that, as in the case of freight and other normal operations, there would not be any necessity for any authorization to spend money for newspapers. It would be part of the business of the department.

But here there is a situation where there is a hundred dollar limit on departments and no limit as to agencies.

Mr. COCHRAN. And no authorizations.

Mr. WEITZEL. Except that the Independent Offices Act here says that where there is no other limit, the limit is \$50 for newspapers.

Mr. WHITTINGTON. Is that permanent law or just applicable to one bill?

Mr. WEITZEL. Applicable to 1 year, the Independent Offices Appropriation Act for 1946.

Mr. LAWTON. Repeated in 1947; and applies only to the Independent Offices Appropriation Act.

Mr. WHITTINGTON. It looks to me as though we should put a limit on the agencies. If this bill is worth anything, it ought to be a general authorization bill. And we ought not to leave the matter of limitations to any one Committee on Appropriations.

Mr. ELLIS. You have the practical difficulty that some departments, such as State, need a great deal more in the way of newspapers than some other department like ours. We do not subscribe to any that I know of.

Mr. COCHRAN. To take this language out, as a suggestion, and include in a limitation in the appropriation bill for the expenditure of a certain sum of money for lawbooks, newspapers, periodicals, et cetera: That would not be subject to a point of order?

Mr. WEITZEL. I would say it would not be subject to a point of order, because it is a restriction on the use of the appropriation.

Mr. WHITTINGTON. These acts are 1842 and—

Mr. LAWTON. And 1839.

Mr. WHITTINGTON. That is worse. We go on the floor of the House to repeal something that has been in force since 1842.

Now, you know, gentlemen, we might have a lot of trouble. And with nothing but the sky as the limit—do you see what I am talking about?

Mr. COCHRAN. That is what I have always complained about.

Mr. WHITTINGTON. It is like that entertainment fund.

Mr. WEITZEL. The other approach would be to extend this and make it all-inclusive; that is, amend this old act so that it applies to everybody. It does not serve too much purpose in its present form.

Mr. COCHRAN. There is never a bill called up which says that there is hereby authorized to be appropriated such sums as will be necessary to carry out the provisions of this act, that I do not object and insist that some limitations be placed. I do not care what it is; I do insist that you place a limitation of some kind. We did that the other day in the employment bill.

Mr. WHITTINGTON. What is this third provision in the act?

Mr. LAWTON. It is that portion of the act that we are repealing. The question here is that this section applies to the departments. It probably does not apply to independent establishments. It was enacted under conditions which are quite different from those that exist today. Strict compliance with this would prevent you from advertising in the District of Columbia newspapers for work that you were performing over in Arlington, or in Maryland, where generally the newspapers that serve those communities are the District of Columbia newspapers.

In this specific case, if Public Health Service, which has its headquarters at Bethesda, were advertising the work there, it could not advertise in the District of Columbia papers unless supplies were to be received here. Now, the contractors would be, a great many of them, Washington contractors. They would be doing the work.

You have outgrown the narrow confines of the District of Columbia. You have spread the seat of Government over into Virginia, in the case of the Pentagon Building, and ours into Maryland.

Mr. WHITTINGTON. Where would that advertising be done if this were repealed? What is the purpose of repealing it?

Mr. LAWTON. Well, so that you can advertise for contracts in the District of Columbia newspapers for work that is to be performed just outside the boundaries of the District of Columbia. Your present law says that no advertisement shall be published in a newspaper printed in the District of Columbia unless the supplies or labor covered by such advertisement are furnished in the District of Columbia.

Mr. COCHRAN. But if you cut it out and left it wide open, if they so desired they could advertise for the construction of a levee on the Mississippi River in a District of Columbia paper. If you want to amend that by including Virginia or Maryland, or adjoining counties I would not see any objection to that; but if you are going to cut it out entirely and remove it, and if an individual wanted to do what I have mentioned, what is going to prevent him from advertising a levee job on the Mississippi River in the papers of the District of Columbia?

I do not say that it would be done, but it could be done.

Mr. ELLIS. There would very possibly be occasions when that would be desirable: If you had a tremendous construction job which might need bids from nationally known contractors, you might want to advertise here in the newspapers.

Mr. WHITTINGTON. There would not be any objection to that at all, but you could advertise in the first instance in your local paper; do you not understand? I would say that all the contractors subscribe for the Manufacturer's Record, or some other publication, and they will get it even if it is in the smallest hamlet in the United States. Now, what is the act of January, 1881?

Mr. LAWTON. That act states: "All advertising required by law to be done in the District of Columbia by any of the departments of the Government shall be given to one daily and one weekly newspaper of each of the two principal political parties and to one daily and one weekly neutral newspaper."

I doubt very much whether you would get any of the papers published in the city of Washington to classify themselves as allied with any political parties.

The CHAIRMAN. They all claim to be independent.

Mr. LAWTON. Independent or neutral.

Mr. WHITTINGTON. How do you handle it now?

Mr. LAWTON. I do not think questions are raised.

Mr. WHITTINGTON. Do they not advertise for business yet?

Mr. LAWTON. Yes. They utilize at least two papers as a general thing.

Mr. WEITZEL. I think that that is rather unworkable in its present form, and while we should not say this about any acts of Congress, it may be more honored in the breach than in the observance.

The CHAIRMAN. Back in 1881, they probably had very, very strong political lines drawn in their editorial pages, but now they all claim to be independent.

Mr. WHITTINGTON. Mr. Chairman, it looks to me as though we should have uniform provisions. And I do not want to restrict them from any newspapers that they ought to have or from any law books they ought to have. But I do not want to make any authorization with no limit.

And I would suggest the rewriting of this section 19 so as to provide for advertisements, stipulating that they should be in the county or an adjacent county.

Mr. LAWTON. This applies to the District of Columbia.

Mr. WHITTINGTON. Well, you say in Arlington. You see what I am talking about?

Mr. CARR. May I say, Mr. Chairman, that we looked over those and considered that those four statutes are really obsolete. The very argument that you have used against the repeal of them seems to me to operate in reverse: any limitation placed in 1842 on the purchase of any article is certainly inapplicable today.

Mr. WHITTINGTON. I think that is absolutely true, but you come along here and leave us without any authorization at all.

Mr. CARR. Well, we thought those were practically obsolete statutes.

Mr. WHITTINGTON. We do not agree with you on that. But you come here and ask us to pass a statute to prevent the Committee on Appropriations having regularly and continually, annual limitations, and having to get rules for the consideration of those appropriations. The only way that that can be done is for us to authorize appropriations. And when we authorize appropriations for these amounts, personally I favor putting a limitation on them.

Mr. COCHRAN. How about agreeing to strike them out and in lieu thereof substituting something else?

Mr. WHITTINGTON. That is what I am suggesting.

Mr. CARR. It would hardly be practicable to insert substitutes for the Democratic and Republican parties.

The CHAIRMAN. You can repeal that.

Mr. WHITTINGTON. Go ahead and substitute the substance of it.

(There was a discussion off the record.)

Mr. WHITTINGTON. Now I want to turn back to section 17 and ask what is the purpose of that section?

Mr. LAWTON. The purpose of that section is to permit the hire of special expert or consultant services, including stenographic reporting services.

Mr. COCHRAN. We went into that while you were away, and we agreed that Mr. Ellis and Mr. Lawton would get together and try to straighten it out.

Mr. WHITTINGTON. What does that do?

Mr. LAWTON. It makes provision for the hiring of these people.

Mr. WHITTINGTON. What does section 18 say?

Mr. LAWTON. We have agreed to throw that section out. It was simply to get some repetitive language out of the appropriation Act, "maintaining, driving, and operating," which appears in thousands of appropriations. If you give them authority to purchase, which we are not eliminating, then they certainly automatically have the right to maintain, drive, and operate. But there has been some

question about it, and several of the committee feel that that should be stricken, and we have no objection. Mr. Cannon, I believe, wrote and suggested that it be stricken also.

The CHAIRMAN. That is right.

Mr. LAWTON. It just means that we repeat that language a few thousand times in the appropriation act.

Mr. WHITTINGTON. But your view is that the authority to buy a car implies the power to maintain it.

Mr. LAWTON. That that is true, and that there is no purpose in allowing an agency to purchase a car unless it is going to be allowed to maintain, drive, and operate.

Mr. WHITTINGTON. So you have no use for this language; is that right?

Mr. LAWTON. That is right. It is simply the saving of a little printing money. That is all.

Mr. WHITTINGTON. And section 20: what is that?

Mr. LAWTON. That is the definition of the word "department" as used in this act.

Mr. WHITTINGTON. All right. What is 21?

Mr. WEITZEL. Before we get away from 20, there is a serious question on that. And I know all you gentlemen will be interested, because it includes Government corporations. The question is as to the word "department." Section 20 says: "The word 'department' as used in this act shall be construed to include independent establishments, other agencies, Government-owned or Government-controlled corporations, operating as agencies of the Government. * * *" I understand that this language was prepared by the Bureau of the Budget before the enactment of the Government Corporation Control Act which divides Government corporations into two classes, wholly owned and mixed ownership, and provides that the wholly owned corporations shall send up business-type budgets to Congress, whereas there are no budgets for mixed-ownership corporations.

Now, the question is whether this is intended to apply to all Government corporations, including the mixed-ownership group. If it is, it could mean that a land bank, for instance, would have to comply with the provisions of section 1, which says, as to travel, that the travel can be authorized by such subordinate official or officials of the department concerned, as the head of the department may designate, and that certain expenses then are allowable for shipment of not to exceed 7,000 pounds of effects, et cetera. That could be argued to cover the land bank.

The question is: Do you want it to apply to corporations which do not come to Congress for their budgets and expenses? Now, if it is desired to apply the provisions of this bill throughout to wholly owned Government corporations, that could be done by a slight amendment here. Also, it could be provided that the word "appropriation" in this bill should be construed to include authorizations by the Congress under section 104 of the Government Corporation Control Act.

That would then mean that those corporations which come to Congress with their budgets would have their administrative expenses cared for under the provisions of this bill. As it is now, by saying that "department" shall mean a Government-owned or controlled cor-

poration, first, you include all of these mixed-ownership corporations; second, literally you only apply to the corporations the sections which use the word "department."

Those are two points which seem to us to need clearing up.

Mr. WHITTINGTON. Suppose we eliminate the corporations altogether.

Mr. WEITZEL. That depends partly on what the Appropriations Committee wants to do with the corporation budgets.

Mr. WHITTINGTON. We said we are not going to bother them about their general administrative expenses, as a general rule. I am just wondering if we ought to include Government corporations. I just raise the point.

In other words, they have to come to Congress now for their general administrative expenses. They do that. They always have. Is that not right?

Mr. WEITZEL. Many of them have. All of them now will. The wholly owned corporations will now all have to come to Congress.

The law says that they shall estimate their administrative expenses.

Mr. WHITTINGTON. I am just wondering if we ought to make this applicable to corporations. What do you all think about that now?

Mr. WEITZEL. We have studied it, and we have not come to too definite a conclusion. These provisions are rather workable provisions and could be applied to wholly owned Government corporations, we feel, without too much trouble on the part of the corporations. But we cannot speak for the corporations, and we do not speak, of course, for the Appropriations Committee. It may be that they will want the business-type budgets prepared in a way that they can be executed under the provisions of this bill, including advertisement, for example, under 3709, and including payment of travel expenses under this authority.

But it does bring up a question whether the corporations should be, you might say, regularized to this extent.

Several corporations had authority to spend their funds without regard to any other provision of law. This could be construed as an amendment of our basic legislation.

Mr. CARR. Is there any reason why the Government corporations should not be governed by this type of provision with respect to expenditures?

Mr. ELLIS. A lot of us feel—and there is a lot of feeling among the students on the subject—that there is no realistic difference there as between whether it is a corporation or not. For example, in Agriculture, some of their work is done in the Farm Security Administration. Other work is done in the Commodity Credit Corporation.

Mr. WHITTINGTON. Would that limit them in fixing the salaries of their employees?

Mr. ELLIS. This bill would not. There is another law which authorizes covering them in the classification act, the Ramspeck Act of 1940. This bill would regularize the corporations to the extent of making them comply with the same rules as the Government departments in so far as the rules are here set forth; namely, the travel rules on transfer of station, the auto-milage rule, and mainly, of course, the advertising for purchases. That is the big one. At present, so far as I know, there is no specific law governing purchases or sales by Government corporations.

Mr. WEITZEL. Except in the case of the Tennessee Valley Authority. They have quite an extensive and liberalized statute.

Mr. WHITTINGTON. Would that be true with respect to all these corporations that are now private corporations and have gotten to be Government corporations?

Mr. ELLIS. It is very difficult for most people to see how there is any basis for distinction. On the other hand, there is a strong view by the people who favor government by that method, to the effect that the corporations should be free to decide for themselves whether they should advertise or not. It is a very fundamental difference of philosophy, whether they should be controlled by the rules laid down on the Hill, or whether you gentlemen want to delegate to them the responsibility and the power to carry on in their own way.

Mr. COCHRAN. We laid down in the act considerable flexibility with relation to the operation of corporations that would be competing, you might say, with private industry.

Mr. ELLIS. Yes, sir.

Mr. COCHRAN. Do you know of any private corporation that would not require its purchasing agent to get bids in connection with what they have to buy?

Mr. CARR. That is the very point I have been making for a long time. It is good business.

Mr. ELLIS. And if the rule is bad, if it is too restrictive in operation, then why have it for a department? In other words, there is a strong feeling that the Department of Agriculture people are just as good businessmen as the Commodity Credit Corporation people. And if it is an unfair restriction on Commodity Credit, why is it not unfair to everybody else? Thus it is a very fundamental question.

Mr. WHITTINGTON. It ought to be limited to the wholly-owned corporations.

Mr. ELLIS. Yes, sir; I think so.

Mr. WHITTINGTON. The waterways have been going into the market to ask for bids for new barges for those taken away from them during the war. They have no restriction that prevents them from going to one corporation and saying, "Build these for us," without asking for bids. But they have discovered now that the Maritime Commission has barges suitable for their purposes, and that the Maritime Commission asked for sale. They stepped in and notified them that they, having preference, wanted to buy 30-odd barges. And the Maritime Commission did not want to sell them. But they are going to sell them. They did not want to sell them, because of private lines that stepped in and said, "You should not do that. You should not let them get them at that price."

Mr. WHITTINGTON. What do you think about making it wholly owned Government corporations?

Mr. WEITZEL. You will recall that the Government Corporation Control Act provides that whenever the Director of the Budget finds that a wholly-owned Government corporation could get along just as well as a regular Government agency with respect to its receipts and expenditures and financial transactions, and the President approves that finding, and the Congress approves, thereafter that Government corporation will be treated exactly as a Government department on all of its expenditures. It will be subject to all of the so-

called prohibitory statutes. This body of rules or authorizations in this bill has a more limited field, and it would not work quite the hardship, you might say, on a wholly-owned Government corporation to put them under these provisions that it would to put them under all of the regulatory provisions.

As I recall, the RFC now is subject to the Government travel regulations under its annual authorization by the Congress. And most of these provisions are really intended to be enabling provisions, and some are more liberal than the existing law.

While I could not speak for the corporations, I think the wholly-owned corporations, to a great extent, could operate within these provisions.

The CHAIRMAN. I might mention right here that we are now having some argument between certain people and groups, including veterans' organizations, who want to purchase from the Defense Homes Corporation. Under the charter of the Defense Homes Corporation, they can purchase property without advertising; they can negotiate for sales; they can sell property without advertising for bids. And in no way have the Congress or the Bureau of the Budget an opportunity of knowing what bids were offered to them. Is that not right, Mr. Lawton?

Mr. LAWTON. That is right.

Mr. WEITZEL. We have had calls from the press on exactly that point.

Mr. COCHRAN. Take the Reconstruction Finance Corporation, for instance. They have how many subsidiaries?

Mr. WEITZEL. Half a dozen, now.

Mr. COCHRAN. Well, take the War Assets Corporation alone. Is that under them?

Mr. WEITZEL. It is now.

Mr. COCHRAN. Well, they are going to have more people traveling than any other Government agency in a few weeks, if they are going along the way they are working. Why should we not put some restriction on that type of traveling?

Mr. WEITZEL. If the President's latest order takes effect, that will not be a corporation after March 25. That raises another problem.

The CHAIRMAN. Let me raise a question on the RFC: I do not know what effect all these sections might have on the RFC making loans.

Mr. WHITTINGTON. What about that?

Mr. WEITZEL. Most of these are what Mr. Lawton referred to as "housekeeping" provisions.

Mr. WHITTINGTON. But we want to know if that would affect their loans.

The CHAIRMAN. Yes; would there be anything here that would affect their loans, or a sale of property owned by the Home Owners' Loan Corporation, which is in liquidation, of course?

Mr. ELLIS. It might very possible have some effect on the sales. Of course, you will note the arrangement of that amendment. If it is specifically regulated by other law, the specific language would prevail over the general rule that you are now enacting. What you are trying here now to do is to take care of the cases that are not in the present laws.

The CHAIRMAN. I do not want to do anything that would handicap the Reconstruction Finance Corporation or the Federal Housing Administration from protecting the loans they have made, by placing some shackles on them.

Mr. CARR. There is nothing in here, in my opinion, that would interfere with the functional operations of any such agency.

The CHAIRMAN. In other words, authorizing a charter to sell an office building and a foreclosure sale, a private sale, negotiated bid; there is nothing in here that would change that?

Mr. CARR. If the Comptroller General wants to put these sales into section 3709, section 9 of this bill.

Mr. ELLIS. We think the same rule should apply to sales as applies to purchases. Now, if you eliminate the corporations from your bill insofar as advertising for either purchases or sales is concerned, then you confirm entirely the claim that they are permitted and supposed to be permitted, to buy and sell without regard to bids or any other such restriction. If you want that, of course, that is the way to do it.

The CHAIRMAN. I have one thing in mind: We bought tin. We bought certain ores that were very high-cost ores, much above the normal cost. And I am just wondering if that were to become the law, if we would not be forced to go into the market and make open bids.

Mr. ELLIS. As I recall it, that program has a very special provision with respect to that.

The CHAIRMAN. That is in the stock-pile amendment. But I can see where something might arise where a corporation needed a little more flexibility, such as when we bought the ball bearings from the Swedish manufacturers. If we had a corporation in a situation like that, we might need a little flexibility in the Government corporation which we would not want in a Government department.

Mr. WHITTINGTON. Could we add the administrative part of it, but not the functional part of it?

Mr. COCHRAN. Can you fix that language so that it will not be necessary to take exceptions to it other than as to administrative expenditures?

The CHAIRMAN. That is for wholly owned; you would not want to go into agencies such as the Federal Land Bank?

Mr. WHITTINGTON. That is right; wholly owned.

Now, section 9 there, about purchases: That includes purchases and contracts. Do you want to include sales?

Mr. ELLIS. At present there is no specific law regulating the sale of property generally by the Government as to method. We think you should have the same rules for advertising.

Mr. WHITTINGTON. But I do not want to cut out this \$500 limitation.

Mr. ELLIS. No; the plan proposed is to limit it to \$100. Where you are selling goods of a reasonable value of \$100 or more, you must advertise.

The CHAIRMAN. Gentlemen, before we agree to make this affect sales also, we should check up to see what effect it would have on surplus property.

Mr. WEITZEL. We have a proposal here which would say specifically in this proposed amendment: "except as authorized by section 29 of

the Surplus Property Act of 1944, or unless otherwise authorized by law."

Mr. COCHRAN. Yes, because we expect to probably rewrite that act.

The CHAIRMAN. Yes, and then what about your maritime sales law?

Mr. WEITZEL. Well, that would be otherwise authorized by law.

Mr. WHITTINGTON. I think that should be corrected, Mr. Chairman. You are exactly right.

Mr. LAWTON. This amendment is to catch those who have no law applying to them now at all; and in those cases, to place the sales on the same basis as purchases.

The CHAIRMAN. Of course, that would not affect a corporation like the TVA, because under their charter, they are authorized to sell power and fertilizer.

Mr. COCHRAN. How does that military mileage work out now? Do you make them go the shortest route?

Mr. MERRY. By regulation, they have cut out mileage on regular military travel. The officer does not get mileage any more on regular military travel, by War Department regulations.

Mr. LAWTON. But these particular items relating to change of station: He gets mileage on those.

Mr. COCHRAN. But the question involved then was: I showed cases where, for instance, down in Arizona we had a fort down there, and another one 50 miles away. In the olden days, the only way you could get from fort to fort was to go 125 miles on one railroad, transfer on another one, and go back. There was 250 miles of mileage. But we built a road between the two. And then he was jumping over there with a War Department chauffeur and putting in a bill for 250 miles of mileage.

Mr. MERRY. That can happen no more. By regulation, he does not get mileage now.

Mr. COCHRAN. We had a long hearing on that down here.

Mr. WHITTINGTON. In which of these sections is there the exemption of the military and naval personnel from this act?

Mr. MERRY. Section 21.

Mr. LAWTON. The military personnel of the War and Navy Departments, the Public Health Service, and so on.

Mr. MERRY. This section 1 involves pretty detailed arrangements involving internal administrative procedures, and we have a little time to put it in operation.

Mr. WHITTINGTON. When you give them this option, I will be willing to do that.

Mr. COCHRAN. Have you any sound argument why it should be changed?

Mr. LAWTON. The only argument we have is on the basis of several thousand people that were moved out of Washington in this decentralization move, the average amount of household goods which those people had being slightly nearer the 7-pound limit than the 5.

Mr. COCHRAN. What could they have had that weighed that?

Mr. LAWTON. It is the normal furniture that would be in the house of a person with a number of dependents. The fellow that had a single room, no; but the man that had a six- or eight-room house, when you moved him, the furniture, household effects, books, and other things of that sort.

Mr. WHITTINGTON. I think that is sound, but I say: We are passing a law that may last 50 years. And I trust we will not have any more of this decentralization or centralization than we need. And I am wondering if we ought to make a permanent law and use as the argument for that law this decentralization here generally.

Mr. LAWTON. That is the only substantial basis that we have for determining the fact that a great many Government employees have that much in their possession. You only give them what they have and what they move. You do not pay them for 7,000 pounds if they only have 2,000.

But where the man has that much of personal household effects, and we move him, our judgment in submitting this to you was that we felt he ought to be reimbursed for what he actually had and what he actually was moving of his own personal household effects.

The CHAIRMAN. And he is moving for the convenience of the Government.

Mr. LAWTON. This only applies where it is for the convenience of the Government.

Mr. WHITTINGTON. Would it be better to leave out that lump-sum business?

Mr. LAWTON. Well, the lump sum only applies to what he actually moves also. That provision simply says that you fix an average rate per hundred pounds, and if he has 1,000 pounds you give him that rate, and he moves the furniture any way he sees fit, by van, by trailer—we have had people who bought trucks to move furniture, because they could not find any other way of doing it at the time, and then sold the truck at the end of the trip and got the expense of moving the furniture.

Mr. WHITTINGTON. How long has this 5,000 been in effect?

Mr. MERRY. The act of October 10, 1940.

Mr. WHITTINGTON. Well, what has happened since 1940?

Mr. ELLIS. There were many who had that limitation before. But Agriculture, from 1911 to 1940, had no limit at all. And then, because of the general act, they were brought down to 5.

Mr. WHITTINGTON. I can understand how these employees felt in these agencies which were established out in Kansas City and other places during the war. But I just wonder now in permanent law if we should use that as an example.

The CHAIRMAN. I do not know, of course, what the furniture weighs.

Mr. MERRY. In my own case, I have a one-bedroom apartment, and have approximately 3,800 pounds of furniture. I have no piano.

Mr. COCHRAN. You take a large moving van—and I am talking now about a large one—and I am telling you that you will have one awful time putting over 5,000 pounds in that moving van unless you have a big safe or something of that kind. You just cannot do it; that is all there is to it.

Mr. ELLIS. A lot depends, of course, on whether it is an older employee who has been established for 20 or 30 years and has a large family. He will have ordinarily much more than 5,000. And in the decentralization program, of course, there were lots of those people.

Mr. WHITTINGTON. I know this decentralization was a hardship, of course.

Mr. LAWTON. It still establishes what the average Government employee who has been established in a position for some length of time has in the way of furniture and household effects. It is a good determination of that.

Now, the person that has been in a position for 10 years, is married, has a family, has a six-room house, he is going to have more than 5,000 pounds of household effects.

Mr. WHITTINGTON. Well, what other provision have we in here that you wanted to ask us about?

Mr. ELLIS. There were a few other things about the travel sections that we did not have a chance to cover this morning; that is, in section 1, about pay the cost when a chap transfers from one department to another.

Mr. WHITTINGTON. In the same town?

Mr. ELLIS. No; if he moves from an OPA job, say, in Chicago to an RFC or Interior job in Washington. The plan here is to pay those costs, the same as if it were two jobs in the same department; and to pay it from the appropriation to the new agency, as I understand it.

Now, that is new. I mean, at present we do not pay those things, with one rare exception—in certain wartime emergency changes. But as a permanent matter those things have never been paid.

Mr. COCHRAN. We are not going to pay anything for a person who gets the transfer for his own convenience.

Mr. ELLIS. No, the Comptroller made the observation: That that would be approved on the basis that there would have to be some showing that it was for the Government's convenience. What that would be is always a problem.

Mr. WHITTINGTON. I do not want to change the law on that.

Mr. COCHRAN. I got a transfer the other day for a person from Washington to St. Louis. I do not want the Government to pay any expenses in the way of travel, transfer of household effects from Washington to St. Louis, because it was made for his convenience and not for that of the Government.

Mr. WHITTINGTON. I do not see any occasion for it to cover different departments. You did not emphasize that this morning; or I did not understand it that way.

Mr. LAWTON. I mentioned the fact that this transfer was in effect under wartime regulations.

Mr. WHITTINGTON. Well, I want to know what changes were made in the general law. Now, I did not understand the meaning there.

Mr. LAWTON. In this case these various departments are not separate governments. They are all employees of the United States. Now, if the Forest Service has a particularly well qualified technician that is badly needed, and the Park Service badly needs a person of that kind, if this provision is in here, they could not pay the expenses of the transfer of the man from a Forest Service region to work for the National Park Service, even though they badly need a person of that capability.

The CHAIRMAN. But suppose this would have happened: A person would get a job in the Selective Service System in St. Louis, knowing that that organization would fold up when the war was over. And suppose he got a job with the Department of the Interior in Seattle, Wash., after his job had folded up here in St. Louis. He knew that

that job was going to fold up. Then the Government would have to pay his expenses.

Mr. LAWTON. Not unless it was for the interest of the Government. If the Government wanted that man and wanted that man particularly out on this job, that would be one thing. Now, if it was for his own convenience, and he sought the transfer and sought a job out there, I think he is going to have a hard time convincing the Interior Department that they ought to charge their appropriation with the expense of moving him.

Mr. WHITTINGTON. Do you think the Government would permit him to move there if it was not for the interest of the Government?

Mr. COCHRAN. That is a bad phrase, "interest of the Government." The Air Corps had a map division in St. Louis. They needed a lot of specialized people that knew all about making maps. They got a lot of them from the Coast and Geodetic Survey and sent them to St. Louis to work in the Air Corps map section. Of course, we should pay that. That was in the interest of the Government. It was necessary.

Mr. LAWTON. That provision is in here.

The CHAIRMAN. They do that under War Manpower, do they not?

Mr. MERRY. They did it under a War Manpower directive, which is not now in operation.

Mr. LAWTON. If this provision is not in here, and you have that sort of a case, you cannot transfer them on that basis.

Mr. WHITTINGTON. But we could not transfer them during the war under those directives. I am not prepared to say that I want it now.

Mr. LAWTON. If you have particularly qualified people in a department that have been trained in a particular line of work, and some other department in another location needs them and requests the transfer of such personnel, there is just as much reason for paying those expenses as if the individuals transferred in their own location.

Mr. COCHRAN. But there is a difference between the department's requesting the transfer from one agency to another agency, and the individual desiring to go to a certain city for his own convenience, going to a department and getting a position in St. Louis in that department.

Mr. LAWTON (reading):

No part of such expenses shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee.

There is the prohibition.

Mr. WHITTINGTON. Can you add to that "at his request"?

Mr. LAWTON. For the convenience or benefit.

Mr. WHITTINGTON. But could you add "or at his request"?

Mr. COCHRAN. I want it fixed so that we are not going to pay the expenses of a man who is getting a transfer when he wants the transfer for his own convenience, although he might be a valuable man to the office when he gets there but at the same time the office has not asked for him.

Mr. WHITTINGTON. You want it "at his request," then?

Mr. ELLIS. I think that is the only difficulty about the transfer.

Mr. WHITTINGTON. Have we omitted anything else?

Mr. WEITZEL. In section 1, did we cover this matter about advances and the safeguards that can be applied?

Mr. ELLIS. You understand the situation as to mileage. First, we make it possible for everybody to be paid mileage at his station, which hitherto has been extremely limited in certain departments and at lower rates. Second, we are allowing mileage to people who are not Government employees. Third, we are allowing it notwithstanding it may not be determined to be more economical. Fourth, we are allowing it even though the authorization is after the travel instead of before. And fifth, we are allowing also the tolls and ferry fares. Those are the changes in mileage. We recommend all of those, but I believe we ought to make it clear that those changes are being made.

Mr. COCHRAN. Do you favor those?

Mr. ELLIS. Yes. We have them all mentioned here.

Mr. WHITTINGTON. And you told us—and see if I am correct now—it might not result in any increased cost when you deduct the administrative expenses saved.

Mr. LAWTON. I said it would be partially offset at least by administrative savings.

Mr. ELLIS. That will make a big change and cut down a lot of red tape and paper work.

Mr. WHITTINGTON. Would there be any objection to taking these folks not in the employ of the Government?

Mr. MERRY. There is a provision now to take in these people who are not receiving compensation, individuals who serve without compensation.

Mr. LAWTON. You can bring persons to the Government now. You can pay the transportation expenses of those persons.

Mr. WHITTINGTON. Does this cover transportation of employees in the District of Columbia?

Mr. LAWTON. Yes; that would be covered.

Mr. ELLIS. Thus, today, if we had driven up here in a private automobile and had been ordered to do it, under this bill we could collect mileage.

Mr. WHITTINGTON. How about all the employees who go to their work every day?

Mr. ELLIS. That is not travel on official business.

Mr. WEITZEL. That is what is necessary to put him at his office and would not be reimbursed.

Mr. ELLIS. Our office has, I think, 22 buildings here in the District, and most of them are records offices, filing. We have a few people who have to drive around there occasionally, supervisory employees, some of whom will drive every day on behalf of the Government.

Mr. WHITTINGTON. What other people now are not covered?

The CHAIRMAN. Such people as Barney Baruch would be covered here.

Mr. WHITTINGTON. But we understood they were paying mileage.

Mr. ELLIS. Then does this not refer to occasions when you call interested people from the various fields of private industry to come to Washington and advise the Government on a certain program?

Mr. LAWTON. You can bring people into Washington now for advising the Government, and pay their travel expenses and per diem,

but you cannot pay mileage. You can pay this instead of railroad fare.

Mr. ELLIS. Section 5 is still undecided, I believe, as to the last half of it; that is, persons serving without compensation. Do you want to provide the travel expenses for them, as this authorizes? This is now in the appropriation bill.

Mr. WHITTINGTON. Well, I am against it generally, but it was stated that in times of peace we would have a good many of those people. Is that right?

Mr. LAWTON. There will be a number of those people, yes.

Mr. WHITTINGTON. Well, as far as I am concerned, Mr. Chairman, I will not raise any point on that. I spent a lot of time on it this morning. Now, what else have you got?

Mr. MERRY. Section 6.

Mr. WEITZEL. You raised a question as to a certificate showing that the lowest rate was not available. The proposal is to change it to say "unless it is certified, in accordance with regulations * * *" Those regulations would make a certificate necessary.

The CHAIRMAN. Is there anything further?

If not, we will adjourn.

(Thereupon, at 4:40 o'clock p. m., the committee adjourned.)

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79TH CONGRESS
2D SESSION

H. R. 6533

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 1946

Mr. MANASCO introduced the following bill; which was referred to the Committee on Expenditures in the Executive Departments

A BILL

To authorize certain administrative expenses in the Government service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) under such regulations as the President may
4 prescribe, any civilian officer or employee of the Govern-
5 ment who, in the interest of the Government, is transferred
6 from one official station to another, including transfer from
7 one department to another, for permanent duty, shall, except
8 as otherwise provided herein, when authorized, in the order
9 directing the travel, by such subordinate official or officials
10 of the department concerned as the head thereof may
11 designate for the purpose, be allowed and paid from Gov-

1 ernment funds the expenses of travel of himself and the
2 expenses of transportation of his immediate family (or a
3 commutation thereof in accordance with the Act of February
4 14, 1931) and the expenses of transportation, packing,
5 crating, temporary storage, drayage, and unpacking of his
6 household goods and personal effects (not to exceed five
7 thousand pounds if uncrated or six thousand two hundred
8 and fifty pounds if crated or the equivalent thereof when
9 transportation charges are based on cubic measurement) :
10 *Provided*, That advances of funds may be made to the officer
11 or employee in accordance with said regulations under the
12 same safeguards as are required under the Subsistence Ex-
13 pense Act of 1926 (5 U. S. C. 828) : *Provided further*, That
14 the allowances herein authorized shall not be applicable to
15 civilian employees of the War Department and their depend-
16 ents when transferred under the provisions of section 3 of
17 the Act of June 5, 1942 (50 U. S. C. 763), nor to officers
18 and employees of the Foreign Service, Department of State :
19 *Provided further*, That no part of such expenses (including
20 those of officers and employees of the Foreign Service,
21 Department of State) shall be allowed or paid from Gov-
22 ernment funds where the transfer is made primarily for the
23 convenience or benefit of the officer or employee or at his
24 request : *Provided further*, That in case of transfer from one
25 department to another such expenses shall be payable from

1 the funds of the department to which the officer or employee
2 is transferred.

3 (b) In lieu of the payment of actual expenses of
4 transportation, packing, crating, temporary storage, dray-
5 age, and unpacking of household goods and personal effects,
6 in the case of such transfers between points in continental
7 United States, reimbursement shall be made to the officer
8 or employee on a commuted basis (not to exceed the amount
9 which would be allowable for the authorized weight allow-
10 ance) at such rates per one hundred pounds as may be fixed
11 by zones in regulations prescribed by the President.

12 (c) Funds available for travel expenses of civilian
13 officers and employees shall also be available for the ex-
14 penses of the transportation of their immediate families, and
15 funds available for the transportation of things shall also be
16 available for the transportation of household goods and
17 effects, as authorized by this Act.

18 SEC. 2. The Act of October 10, 1940 (5 U. S. C.
19 73c-1), relating to allowances for the transportation of
20 household goods, section 5 of the Act of March 4, 1923,
21 as amended (19 U. S. C. 48), relating to traveling and
22 subsistence expenses of customs officers and employees,
23 the first sentence of section 645 (a) of the Tariff Act of
24 1930 (19 U. S. C. 1645 (a)), relating to traveling and
25 subsistence expenses of the families of such officers and

1 employees, and other Acts relating to allowances to civilian
2 officers and employees in the executive branch of the Govern-
3 ment (except those mentioned in the second proviso clause
4 of section 1 (a) of this Act) on transfer from one official
5 station to another for permanent duty, are hereby repealed.

6 SEC. 3. The Act of February 14, 1931 (5 U. S. C.
7 73a), as amended, is further amended to read as follows:

8 "Civilian officers or employees or others rendering serv-
9 ice to the Government shall, under regulations prescribed
10 by the President, and unless otherwise provided in the
11 appropriation concerned or other law, and whenever such
12 mode of transportation is authorized or approved as more
13 advantageous to the Government, be paid in lieu of actual
14 expenses of transportation not to exceed 2 cents per mile for
15 the use of privately owned motorcycles or 5 cents per mile for
16 the use of privately owned automobiles or airplanes when en-
17 gaged in necessary travel on official trips from their desig-
18 nated posts of duty or places of service, or 2 cents per mile
19 for the use of privately owned motorcycles or 4 cents per
20 mile for the use of privately owned automobiles when used
21 on official business wholly within the limits of their official
22 stations or places of service. In addition to the mileage
23 allowances provided for in this section, there may be allowed
24 reimbursement for the actual cost of ferry fares and bridge,
25 road, and tunnel tolls."

1 SEC. 4. Until June 30, 1948, when authorized in an
2 appropriation or other Act, appropriations available for
3 travel expenses shall be available for the payment, with-
4 out regard to the rates authorized by the Subsistence Ex-
5 pense Act of 1926, as amended (5 U. S. C. 821-833),
6 of per diem allowances in lieu of subsistence expenses to
7 civilian officers and employees of departments while travel-
8 ing on official business outside continental United States
9 and away from their designated posts of duty: *Provided,*
10 That the amount of such allowances shall be determined
11 by the head of the department concerned or by such sub-
12 ordinates as he may designate for the purpose, but shall
13 in no case exceed the maximum established by regula-
14 tions prescribed by the President for the locality in which
15 the travel is performed.

16 SEC. 5. Persons in the Government service employed
17 intermittently as consultants or experts and receiving compen-
18 sation on a per diem when actually employed basis may
19 be allowed travel expenses while away from their homes
20 or regular places of business, including per diem in lieu
21 of subsistence while at place of such employment, in ac-
22 cordance with the Standardized Government Travel Regula-
23 tions, Subsistence Expense Act of 1926, as amended (5
24 U. S. C. 821-833), and the Act of February 14, 1931, as
25 amended by this Act, and persons serving without compen-

1 sation or at \$1 per annum may be allowed, while away
2 from their homes or regular places of business, transporta-
3 tion in accordance with said regulations and said Act of
4 February 14, 1931, as so amended, and not to exceed
5 \$10 per diem in lieu of subsistence en route and at place
6 of such service or employment unless a higher rate is specifi-
7 cally provided in an appropriation or other Act.

8 SEC. 6. Section 10 of the Act of March 3, 1933 (5
9 U. S. C. 73b), is hereby amended to read as follows:

10 "SEC. 10. Whenever by or under authority of law
11 actual expenses for transportation may be allowed, such al-
12 lowances shall not exceed the lowest first-class rate by the
13 transportation facility used in such transportation unless it
14 is certified, in accordance with regulations prescribed by
15 the President, that lowest first-class accommodations are
16 not available or that use of a compartment or such other
17 accommodations as may be authorized or approved by the
18 head of the agency concerned or such subordinates as he
19 may designate, is required for purposes of security."

20 SEC. 7. Appropriations for the departments shall be
21 available, in accordance with regulations prescribed by the
22 President, for expenses of travel of new appointees, ex-
23 penses of transportation of their immediate families and
24 expenses of transportation of their household goods and per-
25 sonal effects from places of actual residence at time of

1 appointment to places of employment outside continental
2 United States, and for such expenses on return of employees
3 from their posts of duty outside continental United States to
4 the places of their actual residence at time of assignment to
5 duty outside the United States: *Provided*, That such ex-
6 penses shall not be allowed new appointees unless and until
7 the person selected for appointment shall agree in writing
8 to remain in the Government service for the twelve months
9 following his appointment, unless separated for reasons
10 beyond his control. In case of a violation of such agreement
11 any moneys expended by the United States on account of
12 such travel and transportation shall be considered as a debt
13 due by the individual concerned to the United States. This
14 section shall not apply to appropriations for the Foreign
15 Service, State Department.

16 SEC. 8. In purchasing motor-propelled or animal-drawn
17 vehicles or tractors, or road, agricultural, manufacturing, or
18 laboratory equipment, or boats, or parts, accessories, tires, or
19 equipment thereof, or any other article or item the exchange
20 of which is authorized by law, the head of any department or
21 his duly authorized representative may exchange or sell
22 similar items and apply the exchange allowances or proceeds
23 of sales in such cases in whole or in part payment therefor:
24 *Provided*, That any transaction carried out under the authority
25 of this section shall be evidenced in writing.

1 SEC. 9. (a) Section 3709 of the Revised Statutes of the
2 United States is hereby amended to read as follows:

3 “Unless otherwise provided in the appropriation con-
4 cerned or other law, purchases and contracts for supplies
5 or services for the Government may be made or entered
6 into only after advertising a sufficient time previously for
7 proposals, except (1) when the amount involved in any
8 one case does not exceed \$100, (2) when the public
9 exigencies require the immediate delivery of the articles
10 or performance of the service, (3) when only one source
11 of supply is available and the Government purchasing or
12 contracting officer shall so certify, or (4) when the services
13 are to be performed by the contractor in person, under Gov-
14 ernment supervision, and paid for on a time basis. Except
15 as authorized by section 29 of the Surplus Property Act of
16 1944 (50 U. S. C. App. 1638), or unless otherwise author-
17 ized by law, sales and contracts of sale by the Government
18 shall be governed by the requirements of this section for
19 advertising, except when the reasonable value involved in
20 any one case does not exceed \$100.”

21 (b) Exemptions from section 3709, Revised Statutes,
22 in other law in amounts of \$100 or less are hereby repealed.

23 SEC. 10. Whenever a department is authorized by law
24 to hold hearings and to subpoena witnesses for appearance

1 at said hearings, witnesses summoned to and attending such
2 hearings shall be entitled to the same fees and mileage, or
3 expenses in the case of Government officers and employees,
4 as provided by law for witnesses attending in the United
5 States courts.

6 SEC. 11. The first sentence of section 3648 of the
7 Revised Statutes (31 U. S. C. 529) is hereby amended
8 to read as follows:

9 "No advance of public money shall be made in any case
10 unless authorized by the appropriation concerned or other
11 law."

12 SEC. 12. The head of any department may delegate
13 to subordinate officials (1) the power vested in him by
14 other law to take final action on matters pertaining to the
15 employment, direction, and general administration of per-
16 sonnel under his department; (2) the authority vested in
17 him by section 3683 of the Revised Statutes (31 U. S. C.
18 675) to direct the purchase of articles from contingent funds;
19 and (3) the authority vested in him by section 3828, Re-
20 vised Statutes (44 U. S. C. 324), to authorize the publica-
21 tion of advertisements, notices, or proposals.

22 SEC. 13. Appropriations available for the procurement
23 of supplies and material or equipment shall be available for
24 the purchase and maintenance of special clothing and equip-

1 ment for the protection of personnel in the performance of
2 their assigned tasks.

3 SEC. 14. The head of each department is authorized,
4 under such rules and regulations as the President may pre-
5 scribe, to pay cash awards to civilian officers and employees
6 (or to their estates) who make meritorious suggestions which
7 will result in improvement or economy in the operations of
8 his department and which have been adopted for use: *Pro-*
9 *vided*, That no award shall be paid to any officer or employee
10 for any suggestion which represents a part of the normal
11 requirements of the duties of his position. With the excep-
12 tion of the War and Navy Departments, the amount of any
13 one award shall not exceed \$1,000 and the total of cash
14 awards paid during any fiscal year in any department shall
15 not exceed \$25,000. Payments may be made from the ap-
16 propriation for the activity primarily benefiting or may be
17 distributed among appropriations for activities benefiting as
18 the head of the department determines. A cash award shall
19 be in addition to the regular compensation of the recipient
20 and the acceptance of such cash award shall constitute an
21 agreement that the use by the United States of the suggestion
22 for which the award is made shall not form the basis of a
23 further claim of any nature upon the United States by him,
24 his heirs or assigns.

25 Effective July 1, 1946, all other Acts or parts of Acts

1 in conflict with the provisions of this section are hereby
2 repealed.

3 SEC. 15. The head of any department, when authorized
4 in an appropriation or other Act, may procure the temporary
5 (not in excess of one year) or intermittent services of experts
6 or consultants or organizations thereof, including steno-
7 graphic reporting services, by contract, and in such cases
8 such service shall be without regard to the civil-service and
9 classification laws (but at rates not in excess of the per diem
10 equivalent of the highest rate payable under the Classification
11 Act, unless other rates are specifically provided in the appro-
12 priation or other law) and, except in the case of stenographic
13 reporting services by organizations, without regard to section
14 3709, Revised Statutes, as amended by this Act.

15 SEC. 16. (a) Section 5 of the Act of July 16, 1914
16 (5 U. S. C. 78), is amended to read as follows:

17 “SEC. 5. (a) Unless specifically authorized by the ap-
18 propriation concerned or other law, no appropriation shall
19 be expended to purchase or hire passenger motor vehicles
20 for any branch of the Government other than those for the
21 use of the President of the United States, the secretaries to
22 the President, or the heads of the executive departments
23 enumerated in 5 U. S. C. 1.

24 “(b) Excepting appropriations for the Military and
25 Naval Establishment, no appropriation shall be available for

1 the purchase, maintenance, or operation of any aircraft
2 unless specific authority for the purchase, maintenance, or
3 operation thereof has been or is provided in such appro-
4 priation.

5 “(c) Unless otherwise specifically provided, no appro-
6 priation available for any department shall be expended—

7 “(1) to purchase any passenger motor vehicle (ex-
8 clusive of busses, ambulances, and station wagons), at
9 a cost, completely equipped for operation, and includ-
10 ing the value of any vehicle exchanged, in excess of
11 the maximum price therefor, if any, established pur-
12 suant to law by a Government agency and in no event
13 more than such amount as may be specified in an
14 appropriation or other Act, which shall be in addition
15 to the amount required for transportation;

16 “(2) for the maintenance, operation, and repair
17 of any Government-owned passenger motor vehicle or
18 aircraft not used exclusively for official purposes; and
19 ‘official purposes’ shall not include the transportation
20 of officers and employees between their domiciles and
21 places of employment, except in cases of medical officers
22 on out-patient medical service and except in cases of
23 officers and employees engaged in field work the char-
24 acter of whose duties makes such transportation neces-
25 sary and then only as to such latter cases when the

1 same is approved by the head of the department con-
2 cerned. Any officer or employee of the Government
3 who willfully uses or authorizes the use of any Govern-
4 ment-owned passenger motor vehicle or aircraft, or of
5 any passenger motor vehicle or aircraft leased by the
6 Government, for other than official purposes or other-
7 wise violates the provisions of this subsection shall be
8 suspended from duty by the head of the department con-
9 cerned, without compensation, for not less than one
10 month, and shall be suspended for a longer period or
11 summarily removed from office if circumstances warrant.
12 The limitations of this subsection (c) (2) shall not
13 apply to any motor vehicles or aircraft for official use
14 of the President, the heads of the executive departments
15 enumerated in 5 U. S. C. 1, ambassadors, ministers,
16 chargés d'affaires, and other principal diplomatic and
17 consular officials.

18 “(d) In the budgets for the fiscal year 1948 and sub-
19 sequent fiscal years there shall be submitted in detail esti-
20 mates for such necessary appropriations as are intended to
21 be used for purchase or hire of passenger motor vehicles or
22 for purchase, maintenance, or operation of aircraft, specify-
23 ing the sums required, the public purposes for which said
24 conveyances are intended, the number of currently owned

1 conveyances to be continued in use, and the officials or em-
2 ployees by whom all of such conveyances are to be used.

3 “(e) The acquisition of aircraft or passenger motor
4 vehicles by any agency by transfer from another department
5 of the Government shall be considered as a purchase within
6 the meaning hereof.”

7 (b) The second paragraph of section 3 of the Act of
8 March 18, 1904 (33 Stat. 142; 5 U. S. C. 77), is hereby
9 repealed.

10 Section 4 of the Act of February 3, 1905 (33 Stat.
11 687; 5 U. S. C. 77), is hereby amended to read as follows:

12 “All motor vehicles acquired and used for official pur-
13 poses of the departmental service in the District of Columbia
14 shall have conspicuously imprinted thereon at all times the
15 full name of the executive department or other branch of the
16 public service to which the same belong and in the service
17 of which the same are used.”

18 SEC. 17. (a) The following statutes or parts of statutes
19 are hereby repealed:

20 Section 1779 of the Revised Statutes (5 U. S. C. 102)
21 reading as follows:

22 “No executive officer, other than the heads of depart-
23 ments, shall apply more than \$30, annually, out of the
24 contingent fund under his control, to pay for newspapers,

1 pamphlets, periodicals, or other books or prints not necessary
2 for the business of his office.”;

3 The Act of January 21, 1881 (44 U. S. C. 323) ;

4 Section 3 of the Act of March 15, 1898 (31 U. S. C.
5 678).

6 (b) That portion of the Act of July 31, 1876, (44
7 U. S. C. 321; 19 Stat. 105), reading as follows: “and in
8 no case of advertisement for contracts for the public service
9 shall the same be published in any newspaper published and
10 printed in the District of Columbia unless the supplies or
11 labor covered by such advertisement are to be furnished or
12 performed in said District of Columbia” is hereby amended
13 by adding at the end thereof “or in the adjoining counties
14 of Maryland or Virginia”.

15 (c) That portion of the Act of June 23, 1906 (3
16 U. S. C. 43) reading as follows: “not exceeding \$25,000
17 per annum” is hereby amended to read, “not exceeding
18 \$40,000 per annum”.

19 SEC. 18. The word “department” as used in this Act
20 shall be construed to include independent establishments,
21 other agencies, wholly owned Government corporations (the
22 transactions of which corporations shall be subject to the
23 authorizations and limitations of this Act, except that section
24 9 shall apply to their administrative transactions only), and

1 the government of the District of Columbia. The words
2 “continental United States” as used herein shall be construed
3 to mean the forty-eight States and the District of Columbia.
4 The word “Government” shall be construed to include the
5 government of the District of Columbia. The word “appro-
6 priation” shall be construed as including funds made available
7 by legislation under section 104 of the Government Corpora-
8 tion Control Act, approved December 6, 1945.

9 SEC. 19. Sections 1, 3, 4, 5, 7, 14, and 15 of this
10 Act shall not apply to persons whose pay and allowances
11 are established by the Pay Readjustment Act of 1942.

12 SEC. 20. Sections 1 and 2 of this Act shall become
13 effective on the first day of the third calendar month following
14 the enactment hereof.

79TH CONGRESS
2^D SESSION

H. R. 6533

A BILL

To authorize certain administrative expenses
in the Government service, and for other
purposes.

By Mr. MANASCO

MAY 23, 1946

Referred to the Committee on Expenditures in the
Executive Departments

COMPARISON OF H.R. 6533 and H.R. 4586

(Generally referred to as "General Provisions" bills,
both of which were introduced by Rep. Manasco)

The following is a summary list of the provisions of H.R. 6533 which differ from those of H.R. 4586, and which are of interest to the Department of Agriculture: Provides for commutation of transportation expenses of the immediate family of an employee upon change of station; reduces the weight allowances for household goods and personal effects to 5,000 pounds if uncrated or 6,250 pounds if crated (H.R. 4586 provided weight allowances of 7,000 and 8,750); requires that advances of funds for such travel or transportation be made under the safeguards required under the Subsistence Expense Act of 1926; prevents payment of such expenses if transfer is made at employee's request; restricts payments for transportation, etc. of household goods and personal effects on a commuted basis to the amount which would be allowable for the authorized weight allowance; repeals all acts relating to allowances to civilian officers and employees on transfer from one official station to another for permanent duty, with the exception of the Act of February 14, 1931, the Subsistence Expense Act of 1926, and the Act of June 5, 1942; provides for mileage allowances for use of privately owned motorcycles or automobiles if authorized or approved (H.R. 4586 included the word "authorized" only) as more advantageous to the Government; authorizes 2 cents per mile for use of privately-owned motorcycles or 4 cents per mile for use of privately owned automobiles wholly within the limits of official stations; limits to June 30, 1948 the waiving of the requirements of the Subsistence Expense Act of 1926, as they relate to per diem allowances in lieu of subsistence expense to civilian officers and employees while traveling outside the continental United States and away from their designated posts of duty; permits payment of more than \$10 per diem to persons serving without compensation or at \$1 per annum while away from their homes or regular places of business if a higher rate is specifically provided in an appropriation or other act; requires that the fact that lowest first-class accommodations are not available or that use of a compartment or other accommodations are required for purposes of security be established (in lieu of certified) before actual expenses for transportation in excess of the lowest first-class rate may be allowed; provides that the exchange allowances or proceeds of sales of any article or item the exchange of which is authorized by law, may be applied in whole or in part payment of similar items; makes the provisions of H.R. 4586 which relate to advertising for purchases applicable also to sales, except as authorized by section 29 of the Surplus Property Act or unless otherwise authorized by law; repeals all laws which provide exemptions from the requirements of Section 3709 in amounts of \$100 or less; requires that witnesses must have been summoned to hearings before payments of fees and mileages may be made; limits payment of cash awards for meritorious suggestions to civilian officers and employees only and provides that awards shall not be paid for suggestions which represent a part of the normal requirement of the duties of his position, limits any one award to \$1,000 and total awards during a fiscal year in any department to \$25,000, provides that the President shall prescribe rules and regulations for making such awards, and provides that awards may be charged to any appropriation or appropriations for the activity benefited; authorizes (subject to specific authorization in an appropriation or other Act) temporary or intermittent employment of organizations of experts or consultants by contract, without regard to the civil-service and classification laws, but restricts payment for such temporary employment (both of individuals and organizations) to rates not in excess of the per diem equivalent of the highest rate payable under the Classification Act, unless other rates are specifically provided in the appropriation or other law; removes the exemptions authorized by H.R. 4586, when so specified in the appropriation or other law, from the provisions of the Act of March 2, 1913 and section 322 of the Act of June 30, 1932 limiting the

amount which may be paid for the rental and repair of buildings to be occupied for government purposes; amends 5 U.S.C. 77 and 78 to provide that unless specifically authorized by the appropriation concerned or other law, no appropriations shall be expended to purchase or hire passenger motor vehicles for any branch of the government other than those for the use of the President, the secretaries to the President, or the heads of the executive departments, with the exception of appropriations for the Military and Naval Establishment no appropriation shall be available for the purchase, maintenance or operation of aircraft unless specific authority therefor has been or is provided in such appropriation, the purchase cost of any passenger motor vehicle shall not exceed the maximum price therefor, if any, established pursuant to law by a Government agency and in no event more than such amount as may be specified in an appropriation or other act, which shall be in addition to the amount required for transportation, use of Government-owned passenger motor vehicles or aircraft shall be restricted to official purposes, which shall not include transportation of officers and employees between their domiciles and places of employment except when officers or employees are engaged in field work where the character of their duties makes such transportation necessary, but only when the same is approved by the head of the department, penalties for violation of the restrictions on the use of Government-owned passenger motor vehicles or aircraft for official purposes shall consist of suspension from duty without compensation for not less than one month or suspension for a longer period or summary removal from office if circumstances warrant, and that acquisition of aircraft or passenger motor vehicles by transfer shall be considered as a purchase; amends a portion of the Act of July 31, 1876 to read as follows (new language underscored): "and in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia or in the adjoining counties of Maryland or Virginia"; provides that the word "department" as used in this Act shall be construed to include wholly owned Government corporations (H.R. 4586 provided that Government-controlled corporations operating as agencies of the Government should also be included); provides that the transactions of such corporations shall be subject to the authorizations and limitations of this Act except that the section which provides for exemptions from section 3709 of the revised statutes in the case of both purchases and sales shall apply to their administrative transactions only; and provides that the word "appropriations" shall be construed as including funds made available by legislation under Section 104 of the Government Corporation Control Act, approved Dec. 6, 1945.

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section
(For Department staff only)

Issued May 31, 1946
For actions of May 29, 1946
79th-2nd, No. 102

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HIGHLIGHTS: House agreed to Senate amendments to Case labor bill; ready for President. House passed deficiency appropriation bill which includes funds for FWA public-works planning. House committee reported omnibus flood-control bill. House committee reported bill to provide basic authority for general provisions regarding administrative expenses, etc., in Independent Office Act. Senate received nomination of Duggan to be FCA Governor. Senate Wool Committee reported bill to provide for price supports, standards work, research, etc., regarding wool. Senate committee reported bill to promote development of minerals on Federal lands. Rep. Miller (Nebr.) introduced bill to abolish OPA and transfer certain of its functions to USDA.

HOUSE

1. LABOR DISPUTES. By a 230-106 vote, agreed to the Senate amendments to H. R. 4908, the Case labor-disputes bill (pp. 6035-57). This bill will now be sent to the President.
This bill, which would be known as the "Federal Mediation Act of 1946," creates a Federal Mediation Board in the Labor Department to encourage employers and employees to settle disputes, to proffer its services in an effort to settle disputes by conciliation and mediation, to seek to induce the parties to a dispute to submit to arbitration when necessary. It provides that when the Board offers its conciliation services, there shall be no strike or lock-out until the Board certifies that its efforts have ended or until 60 days after notice asking a conference between the parties, whichever is earlier. It provides that whoever obstructs, delays, or affects commerce, or movement of any article or commodity, by robbery or extortion, shall be guilty of a felony; prohibits payments by employers to representatives of their employees except for services, etc.; requires labor unions to live up to their contracts; etc.
2. PRICE CONTROL; FERTILIZER. Rep. Jenkins, Ohio, announced that the Republican Congressional Food Study Committee has released figures on fertilizer and OPA activities which, he said, indicate that OPA has not held the line (p. 6033).
3. STATISTICS. The Rules Committee reported a resolution for consideration of H. R. 5857, to provide basic authorization for statistical-information work of the Census Bureau (pp. 6034-5).
4. THIRD URGENT DEFICIENCY APPROPRIATION BILL. Passed without amendment this bill, H. R. 6601, which was reported by the Appropriations Committee (H. Rept. 2159) (pp. 6035, 6057-61). The bill includes \$35,000,000 for public-works advance planning (FWA), \$1,000,000 for liquidation of war public works (community facilities, FWA) (reappropriation), and \$825,000 for Disbursement Division, Treasury.

5. ADMINISTRATIVE EXPENSES. The Expenditures in the Executive Departments Committee reported without amendment H. R. 6533, which provides basic authority for general provisions now carried in the Independent Offices Appropriation Act, with several changes (H. Rept. 2186) (p. 6066). For bill's provisions see Digests 196 (1945) and 101.
6. FLOOD CONTROL. The Flood Control Committee reported without amendment H. R. 6597, the omnibus flood-control bill (H. Rept. 2165) (p. 6066).
7. PERSONNEL; CLAIMS. The Claims Committee reported with amendment H. R. 6532, to provide a method for payment in certain Government establishments of overtime, leave, and holiday compensation on the basis of night rates pursuant to certain GAO decisions (H. Rept. 2169) (p. 6066).
8. BUILDINGS AND GROUNDS. Received from the State Department proposed legislation for acquisition of buildings and grounds in foreign countries for the U. S. Government. To Foreign Affairs Committee. (p. 6065.)
9. ADJOURNED until Fri., May 31 (p. 6065).

SENATE

10. WOOL MARKETING. The Special Committee to Investigate Production, Transportation, and Marketing of Wool reported with amendment S. 2033, to provide support for wool, to amend the Agricultural Marketing Agreement Act of 1937 by including wool as a commodity to which orders under such act are applicable, and to authorize the Secretary to fix wool standards (S. Rept. 1398) (p. 5992); Under an agreement at the time of the introduction of the bill, it was referred to the Agriculture and Forestry Committee (p. 5992).
11. PUBLIC LANDS; MINERALS. The Public Lands and Surveys Committee reported with amendments S. 1236, to promote the development of oil and gas on the public domain and on lands acquired for the Appalachian National Forest (S. Rept. 1392) (p. 5992).
12. NOMINATIONS. Received the nominations of Ivy W. Duggan to be Governor of the Farm Credit Administration for another 6-year term and R. M. Foley to be Federal Housing Administrator (p. 6031).
13. STATUTE OF LIMITATIONS. The Judiciary Committee reported with an amendment H. R. 2788, to limit the time during which action may be brought for recovery of wages, penalties, or other damages pursuant to any U. S. law and for which a specific statute of limitations has not been provided (S. Rept. 1395) (p. 5992).
14. LABOR DISPUTES. Continued debate on H. R. 6578, the President's labor bill (pp. 5993-6028). Agreed, 70-13, to the motion of Sen. Wagner, N. Y., to strike out sec. 7 of the bill, the work-or-be-drafted provision (p. 6028).
15. WHEAT. Sen. Capper, Kans., inserted a constituent's telegram claiming that some of the wheat acquired by CCC under the bonus plan has been exported to Mexico (p. 5992).
16. RECESSED until Fri., May, 31 (p. 6031).

Mr. MANSFIELD of Montana. I wish to corroborate the lady's remarks, of course, and to point out that as far as this bill is concerned it ties in very closely with our economic and strategic security.

Mrs. ROGERS of Massachusetts. Yes, and General Eisenhower stressed that yesterday.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DE LACY. Mr. Speaker, since probably I cannot be here on Friday, I wish to make a few remarks about the bill H. R. 2871 which I may say I regard with a friendly eye, inasmuch as my own bill, H. R. 2654, is identical with that of the gentleman of Montana. He, of course, has added a couple of words "Alberta and Saskatchewan" which words will bend the road and make it between five or six hundred and a thousand miles longer; but, as I say, I view it with a friendly eye.

Inasmuch as the highway commission which has already been established has rendered a report and completed its work and has recommended one of two possible routes to Alaska as the best, I cannot see much use for another commission being set up to consider the subject further.

Mr. MANSFIELD of Montana. Mr. Speaker, will the gentleman yield?

Mr. DE LACY. I yield.

Mr. MANSFIELD of Montana. I may say to the gentleman from Washington that the ground has not been gone over east of the mountains on the surveys the Commission is to consider. It can make a recommendation at that time for the building of the road or roads anywhere in those Provinces and Yukon Territory. So I hope there will be no disagreement between us.

Mr. DE LACY. No real disagreement, but I may say that President Hoover had a commission to study the route which a road should take to Alaska. Subsequently President Roosevelt appointed one headed by a former Member of this House, now our State's distinguished senior Senator.

The Commission has studied routes. It has made its report to the President. The Public Roads Committee of this House looked the field over last summer and issued a full-dress report.

The present status of the international highway is that negotiations between our Government and Canada are under way to determine proper allocation of costs between the countries.

The logical route is the coast route, but I will say to the gentleman that I cannot bring myself to oppose his most understandable desire to have possible routes studied for a road from points in his State to Alaska. All of us want to see that great Territory developed.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, the other day I was given permission to include a strong letter from Mr. Hines, of the Federation of Labor, endorsing a bill or bills for giving automobiles to amputees. I think the time for extending that letter has expired. I therefore ask unanimous consent that it may be placed in the RECORD today.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CORBETT (at the request of Mr. SIMPSON of Illinois), indefinitely, on account of illness.

To Mr. ALMOND, from Thursday, May 30, through Tuesday, June 4, 1946, on account of official business.

To Mr. COURTNEY (at the request of Mr. PRIEST), for 10 days, on account of serious illness in family.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 7. An act to improve the administration of justice by prescribing fair administrative procedure.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 56 minutes p. m.) the House, pursuant to its previous order, adjourned until Friday, May 31, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(Friday, May 31, 1946)

There will be a meeting of the Committee on World War Veterans' Legislation on Friday, May 31, 1946, at 10 o'clock a. m., in open session, in the Committee Room 356, Old House Office Building.

COMMITTEE ON THE JUDICIARY

(Monday, June 3, 1946)

There will be a hearing before Subcommittee No. 4 of the Committee on the Judiciary on Monday, June 3, 1946, on House Resolution 430, to authorize the Committee on the Judiciary to conduct an investigation of the disposition of the case against certain individuals charged by the Federal Bureau of Investigation with espionage and possession of confidential Government documents.

The meeting will begin at 10 a. m. and will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON PATENTS

(Tuesday, June 4, 1946)

The Committee on Patents will begin hearings Tuesday, June 4, 1946, at 10 a. m., in the Patents Committee room, 416 House Office Building, on the following bills:

H. R. 3964 (HARTLEY): A bill to declare the national policy regarding the test for determining invention.

H. R. 5841 (BOYKIN): A bill fixing the date of the termination of World War II, for special purposes.

H. R. 5940 (LANHAM): A bill to make Government-owned patents freely available for use by citizens of the United States, its Territories and possessions.

These hearings will be continued on succeeding days until concluded or until this notice is superseded.

COMMITTEE ON THE JUDICIARY

(Thursday, June 6, 1946)

On Thursday, June 6, 1946, Subcommittee No. 2 of the Committee on the Judiciary will continue hearings on the bill (H. R. 6301) to supplement existing laws against unlawful restraints and monopolies, and for other purposes. The hearings will begin at 10 a. m. and will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1349. A letter from the Acting Secretary of State, transmitting a draft of a proposed bill for the acquisition of buildings and grounds in foreign countries for the use of the Government of the United States of America; to the Committee on Foreign Affairs.

1350. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

1351. A letter from the Secretary of Commerce, transmitting a report on the activities of the Department of Commerce related to those functions previously carried out by the Smaller War Plants Corporation and transferred to the Department of Commerce; to the Committee on Banking and Currency.

1352. A communication from the President of the United States transmitting the budget for the Office of Alien Property Custodian providing for administrative expenses in the amount of \$3,870,120 for the fiscal year 1947 (H. Doc. No. 625); to the Committee on Appropriations and ordered to be printed.

1353. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 11, 1946, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of the Sabine River and tributaries, Texas, for improvement of Adams Bayou, authorized by the River and Harbor Act approved March 2, 1945 (H. Doc. No. 626); to the Committee on Rivers and Harbors and ordered to be printed with an illustration.

1354. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 19, 1946, submitting a report, together with accompanying papers and illustrations, on a review of reports on Brazos Island Harbor, Tex., and the Gulf Intracoastal Waterway at Port Isabel and its vicinity, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on February 28, 1945 (H. Doc. No. 627); to the Committee on Rivers and Harbors and ordered to be printed with two illustrations.

1355. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 15, 1946, submitting a report, together with accompanying papers and an illustration on

a review of reports on, and a preliminary examination and survey of, Fall River Harbor, Mass., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on October 19, 1943, and also authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 628); to the Committee on Rivers and Harbors and ordered to be printed with an illustration.

1356. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 10, 1946, submitting a report, together with accompanying papers and illustrations, on a review of reports on Cleveland Harbor, Ohio, requested by a resolution of the Committee on Rivers and Harbors of the House of Representatives, adopted on September 28, 1943, and a resolution of the Committee on Commerce of the United States Senate, adopted on November 12, 1943 (H. Doc. No. 629); to the Committee on Rivers and Harbors and ordered to be printed with two illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON of Missouri: Committee on Appropriations. H. R. 6601. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes; without amendment (Rept. No. 2159). Referred to the Committee of the Whole House on the State of the Union.

Mr. BATES of Kentucky: Committee on Rules. House Resolution 643. Resolution providing for the consideration of H. R. 5857, a bill to provide for the collection and publication of statistical information by the Bureau of the Census; without amendment (Rept. No. 2160). Referred to the House Calendar.

Mr. COX: Committee on Rules. House Resolution 644. Resolution providing for the concurrence in Senate amendment to H. R. 4908, an act to provide additional facilities for the mediation of labor disputes, and for other purposes; without amendment (Rept. No. 2161). Referred to the House Calendar.

Mr. BOREN: Committee on Interstate and Foreign Commerce. H. R. 3129. A bill to amend the Securities Exchange Act of 1934 so as to limit the power of the Securities and Exchange Commission to regulate transactions in exempted securities; with amendment (Rept. No. 2164). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTINGTON: Committee on Flood Control. H. R. 6597. A bill authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes; without amendment (Rept. No. 2165). Referred to the Committee of the Whole House on the State of the Union.

Mr. WEST: Committee on Ways and Means. House Joint Resolution 327. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the Inter-American Trade Exposition, Fort Worth, Tex., to be admitted without payment of tariff, and for other purposes; without amendment (Rept. No. 2166). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBINSON of Utah: Committee on Roads. H. R. 6324. A bill to amend and supplement the Federal-Aid Road Act of July 11, 1916, as amended and supplemented, to provide for the design and construction of dams so that they will serve as foundations for highway bridges, to provide for the design

and construction of highway bridges upon and across such dams, to authorize the granting of easements and rights-of-way in connection therewith, and for other purposes; with amendment (Rept. No. 2167). Referred to the Committee of the Whole House on the State of the Union.

Mr. PITTINGER: Committee on Claims. H. R. 6454. A bill to amend the act approved July 3, 1943, entitled "An act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees or otherwise incident to activities of the War Department or of the Army; without amendment (Rept. No. 2168). Referred to the Committee of the Whole House on the State of the Union.

Mr. PITTINGER: Committee on Claims. H. R. 6532. A bill to provide a method for payment in certain Government establishments of overtime, leave, and holiday compensation on the basis of night rates pursuant to certain decisions of the Comptroller General, and for other purposes; with amendment (Rept. No. 2169). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAY: Committee on Military Affairs. S. 1288. An act to authorize the course of instruction at the United States Military Academy to be given to not exceeding 30 persons at a time from the American Republics, other than the United States; without amendment (Rept. No. 2184). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 6463. A bill to provide for making certain War Department articles and equipment available for use at the convention of the Veterans of Foreign Wars to be held in Boston, Mass., in September 1946; without amendment (Rept. No. 2185). Referred to the Committee of the Whole House on the State of the Union.

Mr. MANASCO: Committee on Expenditures in the Executive Departments. H. R. 6533. A bill to authorize certain administrative expenses in the Government service, and for other purposes; without amendment (Rept. No. 2186). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2, of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BIEMILLER: Committee on Naval Affairs. H. R. 4525. A bill for the relief of Oran Edmund Randall Rumrill; without amendment (Rept. No. 2162). Referred to the Committee of the Whole House.

Mr. MADDEN: Committee on Naval Affairs. H. R. 4863. A bill to establish the date of acceptance of a commission as lieutenant (junior grade), United States Naval Reserve, by William Leon de Carbonel to be June 1, 1941, and the date of reporting for active duty to be December 9, 1941, and for other purposes; without amendment (Rept. No. 2163). Referred to the Committee of the Whole House.

Mr. DOYLE: Committee on Claims. H. R. 2785. A bill for the relief of Will O'Brien, Mrs. Bessie O'Brien, and Jane O'Brien; with amendments (Rept. No. 2170). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 3401. A bill for the relief of Mrs. Hattie Main Babcock, Chester N. Main, and Mr. and Mrs. Earl Norman; with amendments (Rept. No. 2171). Referred to the Committee of the Whole House.

Mr. HEDRICK: Committee on Claims. H. R. 4673. A bill for the relief of Mrs. Minnie Jenkins Ward; with amendment (Rept.

No. 2172). Referred to the Committee of the Whole House.

Mr. HEDRICK: Committee on Claims. H. R. 4096. A bill for the relief of Joan Esther Hedin; with amendments (Rept. No. 2173). Referred to the Committee of the Whole House.

Mr. HEDRICK: Committee on Claims. H. R. 5349. A bill for the relief of Charles F. Barrett; with amendment (Rept. No. 2174). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5351. A bill for the relief of Charles Booker; without amendment (Rept. No. 2175). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5538. A bill for the relief of Mae Maxine Stone; without amendment (Rept. No. 2176). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5539. A bill for the relief of Andrew M. Halvorson; with amendments (Rept. No. 2177). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5739. A bill for the relief of Frances Fitzgerald; without amendment (Rept. No. 2178). Referred to the Committee of the Whole House.

Mr. HEDRICK: Committee on Claims. H. R. 5792. A bill for the relief of certain postmasters; without amendment (Rept. No. 2179). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5806. A bill for the relief of Etta Yookam; with amendments (Rept. No. 2180). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5878. A bill for the relief of Elsie Elmhurst; without amendment (Rept. No. 2181). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5884. A bill for the relief of Frances Krzys; with amendment (Rept. No. 2182). Referred to the Committee of the Whole House.

Mr. MAY: Committee on Claims. S. 1776. An act to authorize the exchange of certain land at the Benicia Arsenal, Calif.; with amendments (Rept. No. 2183). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 6562) granting an increase of pension to Mrs. Lula Insley, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Missouri:
H. R. 6601. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes; to the Committee on Appropriations.

By Mr. BLOOM:
H. R. 6602. A bill to provide basic authority for the performance of certain functions and activities of the Department of State; to the Committee on Foreign Affairs.

By Mr. EARTHMAN:
H. R. 6603. A bill to provide for the payment of persons assuming the duties of postmaster at fourth-class offices during the ab-

ADMINISTRATIVE EXPENSES IN GOVERNMENT DEPARTMENTS

MAY 29, 1946.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. MANASCO, from the Committee on Expenditures in the Executive
Departments, submitted the following

REPORT

[To accompany H. R. 6533]

The Committee on Expenditures in the Executive Departments, to whom was referred the bill (H. R. 6533) to authorize certain administrative expenses in the Government service and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

GENERAL STATEMENT

This bill can truthfully be referred to as a bill to eliminate Government red tape.

The principal purpose of the bill, which deals with departmental procedures and expenditures incident to certain employees' travel, and to contracts and purchases, and related matters, is the permanent enactment of numerous provisions which, although of a continuing and general character, have been included hitherto in the annual appropriation acts. That purpose is designed to supplement the program announced last year by the chairman of the Appropriations Committee¹ to avoid so far as possible the recurring enactment of legislative items in appropriation acts. Related to that purpose are a number of sections designed to authorize the Appropriations Committee, in its annual review of each agency's operations, to provide exceptions from certain general prohibitory administrative-expense legislation, where the special needs of the current programs of a particular agency may justify them.² Finally, a number of sections

¹ See 91 Congressional Record 2671, March 23, 1945.

² Many such exceptions now appear in the appropriation acts, but would be subject to point of order for lack of legislative authorization, such as that now proposed.

are intended to revise and modernize a group of permanent statutes, comprising an important segment of the body of legislative guides and rules for the conduct of the Government's business, which require codification and adaptation to the current needs, size, and scope of the functions of the Government.

THE COMMITTEE'S STUDY

The present bill is a revision of, and supersedes, H. R. 4586, Seventy-ninth Congress, which was submitted by the Director of the Budget for the consideration of the Congress and on which your committee requested departmental reports and held hearings, which were attended by representatives of the Bureau of the Budget and of the General Accounting Office. The report of those hearings has been printed and is available to Members.

The reports received from the departments without material exception are in favor of the purposes and provisions of the bill, which is designed to cover all the agencies with substantial uniformity. A full report and analysis was obtained from the Comptroller General (on H. R. 4586), and the changes recommended by him have been incorporated in H. R. 6533. As to the cost of the bill, it is doubtful that any measurable increase in out-of-the-Treasury expenditures will result (except for one or two minor sections), since nearly every authorization appearing in the bill now is contained in an appropriation act. So far as any such increase could result, there can be anticipated a considerably greater countervailing saving in the elimination which the bill provides of a number of technical or obsolete procedural requirements which are found now to be unnecessary or unworkable.

EXPLANATION BY SECTIONS

The first seven sections deal with travel expenses in various special categories; sections 8 and 9 deal with contracts and purchases; the remaining sections, respectively, deal with (10) witness fees, (11) advances of public funds, (12) delegation of authority, (13) purchase of special clothing, (14) employees' awards for suggestions, (15) the hire of experts and consultants, (16) the purchase and use of Government automobiles and aircraft, and (17) miscellaneous repeals and amendments.

Section 1. Expenses on change of employee's headquarters.—Section 1 makes permanent provision for the expenses payable by the Government in the event of a transfer of a civilian employee from one official headquarters to another and displaces for that purpose the present temporary provisions which are carried in the annual appropriation acts. In revising the procedure for taking care of such expenses the following relatively minor changes are made, based upon the recommendations of the Bureau of the Budget and of the Comptroller General:

(1) The authorization for the transfer: For most departments, present law requires that the head of the department or an assistant head personally order the transfer of the employee and authorize the expenses, and this authorization is directed to be signed before the employee makes the trip. It is evident that the first of these requirements is impractical and the bill proposes to authorize the delegation

of the authority to order the transfer but there is retained the requirement that such order be issued in advance of the travel.

(2) Transfers between departments: Except for a temporary provision which was effective in the case of war-service transfers, present law does not sanction the payment of expenses in the case of a transfer of station where there is involved also a transfer of the employee from one department to another. Recognizing that the various departments represent but a single employer, the bill provides for the payment of expenses even in case of such a transfer, but with the restriction that no expenses are payable in any case where the transfer is made primarily for the convenience and benefit of the employee or at his request.

(3) Transportation of employee's family: In an appropriation act a year ago general provision was made for the first time for the payment of the transportation expenses of the immediate family of an employee who is transferred. This allows rail fare, for example, but does not provide for subsistence or for a per diem. Where, as happens in many cases, the family travel with the employee in his private car, the extra expenses payable under this provision are negligible.³ The bill would make this provision permanent.

(4) Lump-sum commutation for shipment of household goods: The present law calls for the reimbursement by the Government of the actual expense incurred by an employee in the shipment of his household goods on change of station, within the weight limit of 5,000 pounds (unpacked weight). Except for a temporary wartime modification, the regulations necessarily have provided that shipment be by the most economical means. This, in normal times, leaves the Government's administrative officers no alternative but to develop and consider the charges to be anticipated by all of the various means of shipment ordinarily available—rail freight, vessel, motor van, or a combination of any or all of those methods. In part, the rate payable per hundredweight depends upon the total weight involved in the shipment and in most cases it is not feasible to know what weight will be involved until after the goods have embarked upon their journey. Dissatisfaction results when the Government officers are required to deal with a particular carrier who may not be satisfactory to the employee whose goods are entrusted to it.

The operations involved for administration alone in estimating the goods to be shipped, obtaining bids from motor-van carriers (who legally may, and often do, grant a discount to the Government), checking the tariff costs for shipment by rail or motor freight, obtaining estimates for packing, crating, and drayage for rail shipment, evaluating the bids and issuing the Government bill of lading, supervising the shipment and delivery at destination, examining the carrier's invoice, vouchering payment thereon, auditing the payment and collecting back from the employee in case of excess weight, and settling of claims of the employees and the carriers, are believed to represent an undue effort and expense which can be eliminated entirely by a provision for commutation of the expense of shipment to a lump sum. The bill authorizes such a commutation, payment in each case to be a lump sum derived from a table to be prescribed by Executive regulation which will be based upon the average cost ordinarily in-

³ Where the family travel in a car at a different time, the employee having proceeded by other means, mileage will be paid for the auto expenses.

curred for a given amount of goods for a given distance. Subject to the authorized weight limits, the variables involved will be two only, viz, the quantity of goods actually caused to be shipped by common carrier and the distance involved in the move. The employee will select whatever means of shipment best suits his purposes and the Government will pay the same sum, whatever method the employee may select.

The proposed commutation plan is in line with the precedents long established for commutation of subsistence expenses into a per diem and of automobile expenses into a mileage rate. The commutation will apply to all shipments between points within the United States but, in view of the practical difficulties involved, will not apply to foreign shipments. It is emphasized that no change in the present law and regulations respecting the total weight limit is involved. Also, the amount payable will depend in all cases upon the quantity of goods which an employee actually has and actually ships, subject to the same maximum limit now in force.

(5) Advance of funds: Since it is planned to have the employee make all arrangements for the transportation of himself, his family and his household goods to his new station without intervention (or interference) of his agency except for the issue of transportation requests to provide for their rail tickets, the bill authorizes an advance of funds according to the same plan now in force for advances for subsistence expenses in the case of normal official travel.

Section 2. Similar items repealed.—The adoption of section 1 requires the repeal of the act of October 10, 1940, as well as all other statutes (with two exceptions) relating to allowances to civilian employees of the executive branch on transfer of station so that the laws will be substantially uniform in this respect.

Section 3. Auto mileage.—In a revision of the Auto Mileage Act of 1931, the following changes from present general law are proposed:

(1) Mileage is to be paid for the use of a private car at the employee's station as well as for trips from one point to another, but in the former case the maximum rate is to be 4 cents instead of 5 cents. The present law allows the payment of actual expenses only (that is, gasoline and oil) for driving within an employee's station, except in the case of certain particular agencies where Congress has specifically provided for mileage up to 3 cents or 4 cents at the official station. It is believed to be manifestly more practical and not perceptibly less economical to allow mileage at the station of an employee. In the case of trips from one point to another, the bill would make no change in the rate now payable, that is, up to 5 cents a mile, as may be determined by the department, but the bill would have the effect of removing the present technicality which requires the speedometer readings and computation to begin at the point of leaving the corporate limits of the city where the employee is stationed. The mileage rate as authorized up to 5 cents will be paid from whatever point included within his headquarters the employee begins his journey.

(2) Mileage may be allowed for travel authorized and directed in the Government's interest whether or not the traveler be an actual employee of the Government.

(3) The present law requires it first to be determined that a proposed journey by private car is more economical and advantageous to the United States. It is proposed to remove the requirement that the

economy to the Government be actually found and declared in the travel order and proved by a comparison of figures in case of doubt. The committee does not contemplate and would not sanction the use of a private car where the expense would be distinctly less economical to the United States, but it is willing to leave this responsibility to the administrative officers involved who, it is believed, can be relied upon to exercise justifiable restraint without being required to undertake extensive and formal findings and proofs.

(4) The present law requires that the authorization for the use of a car be signed before the traveler leaves. It is believed this is unnecessarily restrictive and does not provide for emergencies when subsequent approval is all that can be obtained. The bill provides for mileage either to be authorized (that is, in advance), or approved (that is, subsequently), thus leaving the payment of mileage within administrative control.

(5) In line with the accepted principle that the payment of mileage commutes any and all expenses involved in the trip (such as for gasoline, oil, tires, depreciation, storage, towing, repairs, accidental damages to or against the car or its owner) it has been held that ferry fares, bridge, road, and tunnel tolls are included in the mileage and may not be paid in addition. This is believed to be an inequitable result of the present statute. In line with a number of special provisions recently adopted for particular agencies, reimbursement is provided for such fares and tolls in addition to whatever mileage may otherwise accrue.

Section 4. Foreign travel.—This section sanctions for the next 2 years an authorization in an appropriation or other act for a higher-than-normal rate of per diem allowance in lieu of subsistence in the case of official travel outside the United States. Provision is made for uniform regulations to fix the maximum per diem rate payable according to the locality in which the travel was performed. Present world conditions, particularly the wide variance in exchange rates, appear to require this leeway, but the time limit, June 30, 1948, has been inserted to insure that the subject will be reconsidered before it is longer continued. The present provision for higher per diem rates for foreign travel has been contained for several years in the annual appropriation acts.

Section 5. Travel of consultants and experts.—Section 5 would enact permanently provisions which have appeared in appropriation acts in very recent years to permit consultants or experts employed intermittently, and paid a per diem "when actually employed," to be allowed travel expenses while away from their homes or regular (that is their private) places of business, including a per diem while at the place of their Government employment. In the case of persons serving without compensation or at \$1 per annum, the section will allow transportation to and from their homes or regular places of business and a per diem en route and while at work at higher than the normal rates of per diem for travel purposes.

Section 6. Lowest first-class fares.—Present law contained in an act of 1933 limits the allowances for transportation to the cost of what is known as the lowest first-class rate by the transportation facility used. By regulation this is defined to mean a standard lower berth or lowest rate first-class stateroom. Frequently it is not possible for a traveler to obtain that accommodation and, since the law contains

no exception, the traveler is required either to wait over at Government expense until such accommodation is available or else to pay the extra charge himself. Neither such proceeding is a creditable or justifiable one in the public interest. Section 6 proposes to amend the statute referred to so as to remove the restriction as to lowest first-class rates in cases where it is certified that such accommodations are not available and also in certain special cases where some other accommodation is required for purposes of security.

Section 7. Travel to duty stations abroad.—Section 7 provides that appropriations for the departments (other than those for the foreign service of the State Department) shall be available, in accordance with regulations prescribed by the President, for expenses of travel and transportation in the case of new appointees, for themselves, their families, and effects, from places of residence to places of employment outside continental United States, and for such expenses on return of employees from such places to their places of residence at time of assignment to duty abroad, on condition that such new appointees shall remain in the Government service for 1 year. It is intended to insure that, in the case of positions abroad to be filled by citizens from this country, there would not be applied the general rule that an employee must bear the expenses of reporting to his first duty station and of returning to his home or place of engagement upon separation from the service (Cf. 13 Comp. Gen. 390; 16 id. 852; 19 id. 71; and *United States v. Lauer*, 50 F. Supp. 299). The foreign service, State Department, is excepted from section 7 because special provision has been made with respect to such expenses in the foreign-service appropriation acts over a period of years.

Section 8. Trade-in allowance.—Numerous statutes now permit the trade-in of old equipment such as boats, vehicles, office equipment, etc., when replacements are being acquired. However, the laws are in conflict as to the financial provisions applicable. In some cases the trade-in allowance is credited directly to the purchase price and the department pays out from its appropriation only the net difference. In other cases the department is required to accept the trade-in allowance as a receipt from sale of Government property, deposit that credit and pay out from its appropriation the entire gross selling price of the article being purchased. Section 8 is copied from the current Independent Offices Appropriation Act, with a slight change, and it will make permanent the authorization for the exchange or sale of certain types of equipment at the time replacements are purchased, crediting the sale or trade-in value against the purchase price.

Section 9. Advertising for bids in public purchases and sales.—The basic statute which has regulated purchasing by the Government for many years is section 3709, Revised Statutes, which, in brief, requires that public contracts for purchases and services other than personal be let only after advertising for bids. The statute itself has remained unamended since its enactment in 1861 and the program which it requires is believed to be fundamentally in the public interest since by no other means yet discovered is assurance provided that (a) the Government as a purchaser and a customer will receive the best bargain obtainable, and (b) builders, dealers, suppliers, and manufacturers reasonably in a position to supply the Government's needs will have a fair and equal opportunity to compete for and share in the Government's business. During the period of wartime procurement, the

First War Powers Act authorized an exception whenever the President deemed such action would facilitate the prosecution of the war. The amendments now suggested with respect to Government purchases are designed to be perfecting only, and consist of four exceptions, of which three are adaptations from existing law and one covers a practical condition recognized by decisions of the accounting officers in the course of many years' experience. It is believed desirable to codify all of these exceptions and enact them as a part of the basic law. The exceptions referred to exempt the following classes of transactions:

(1) Those in which the amount involved does not exceed \$100—many such exemptions now on the books range in amounts from \$25 to \$500. This section proposes to raise to \$100 all exemptions which are now below that figure but to retain intact all exemptions of more than \$100 which are now a part of the law.

(2) Those in which the public exigencies require immediate delivery or performance.

(3) Those in which only one source of supply is available to meet the particular needs of the Government service, and the contracting officer so certifies. The Comptroller General has advised the committee that it is understood that the contracting officer's certification will be supported by a brief statement of the facts and reasons on which it is based.

(4) Those in which the services are to be performed by the contractor in person, under Government supervision and paid for on a time basis.

Aside from approving those perfecting amendments, the Comptroller General has recommended and the committee has agreed that the statute should specify in plain terms that its mandate for advertising for bids is equally applicable whether the Government deals as a buyer or as a seller. The present statute does not so specify with respect to sales by the Government. The proposed section corrects that discrepancy but retains an exemption for (a) the special procedures directed under the Surplus Property Act, and (b) any other exceptions authorized by law.

Section 10. Witnesses before departments.—Allowances for per diem and mileage are fixed by law (28 U. S. C. 600c) for witnesses before United States courts. Section 10—making general and uniform a provision now applicable to a few agencies only—would authorize the same payment to be made in the case of witnesses summoned to appear before a department authorized by law to hold hearings and subpoena witnesses.

Section 11. Advances of public funds.—The advance of public money generally is prohibited by section 3648, Revised Statutes (31 U. S. C. 529). Occasionally, to meet special needs and particular situations (especially in the case of transactions abroad) it has been found necessary to create legislative exceptions to the general rule. These situations are comparatively minor but are apt to require quick legislative action. Section 11 would amend the original section cited merely by adding the words "unless authorized by the appropriation concerned or other law". Its purpose is merely to sanction the incorporation of exceptions in appropriation acts as may be required from time to time without raising the question of a point of order.

Section 12. Delegation of authority.—Section 12, among other things, would authorize the head of a department to delegate to subordinate

officials his powers relative to employment, etc., of personnel. By the act of June 26, 1930 (46 Stat. 817), the head of a department may delegate to subordinates the power to employ persons for duty in the field service of his department, but the appointment of personnel for the departmental service must be approved personally by the head of the department. (See H. Rept. No. 1397, 78th Cong., which accompanied H. R. 1725 in the House of Representatives.) The Department of Agriculture has been granted such authority. In view of the size to which the Government establishment has grown, delegation of authority respecting appointment, direction and general administration of personnel is believed to be desirable and necessary in the interest of rapid and efficient administration. In the same light, it no longer seems necessary or even desirable to continue to require compliance with certain other early and now outmoded statutes which (a) require that the head of the department by written order direct the purchase of articles, etc., for the contingent fund appropriated to his office, and (b) prohibit the newspaper publication of advertisements, notices, or proposals except pursuant to written authority of the head of the department. The section authorizes the delegation of both such authorities.

Section 13. Special clothing.—Section 13 provides that appropriations available for the procurement of supplies, etc., shall be available for the purchase of special clothing and equipment for the protection of personnel in the performance of their assigned tasks—an extension to all departments of a provision already applicable to many.

Section 14. Awards for suggestions.—Section 14 is intended to provide a uniform Government-wide system to encourage the submission by employees of suggestions for improvements or economies in the operations of their departments and to sanction the payment of cash awards therefor. Such plans now are authorized for the War Department, Navy Department, Maritime Commission, War Shipping Administration, Department of the Interior, and Post Office Department. In some other agencies it is the practice to grant to an employee submitting a meritorious suggestion an extra, one-step, within-grade promotion under the Ramspeck-Mead Act of 1941. Section 14 would not intend to displace that authority, but it would supersede the several provisions for cash awards above referred to. Substantially in line with the present laws, no monetary limit is provided in the case of the War and Navy Departments, while in the remaining departments no one award may exceed \$1,000 and the total cash awards paid during any fiscal year in any department may not exceed \$25,000. It is specified that the suggestions must be meritorious, result in improvement or economy and be adopted for use. No payment is to be allowed where the making of the suggestion represents a part of the duties of the employee's position; also the acceptance of an award will constitute an agreement waiving any further claim upon the United States for the suggestion. Payments are to be made from the appropriations for the activities benefited.

Section 15. Hire of experts or consultants.—Section 15 would provide that the head of a department, when authorized in an appropriation or other act, may procure temporary or intermittent service of experts or consultants, including stenographic reporting services, by contract without regard to the civil-service and classification laws aside from the maximum rate limit and, except in case of stenographic reporting

organizations, without regard to section 3709, Revised Statutes, as amended. Such authority has been included in appropriation acts in numerous instances.

Section 16. Automobiles and aircraft.—Since 1904 a series of statutes including appropriation acts has restricted to a greater or lesser degree the purchase and use of what were at one time referred to as "motor-propelled or horse-drawn passenger-carrying vehicles." Section 16 is proposed to codify those enactments into a single permanent statute as an amendment of a 1914 act. Subsection (a) of the amended act prohibits (with certain exceptions) the purchase or hire of passenger motor vehicles unless specifically authorized by the appropriation concerned or other law. The present statute has the same effect but includes, also, a restriction on expenses for maintenance, repair, and operation which is believed to be unnecessary so long as the original acquisition of the cars is under congressional control. Subsection (b) is derived from the current independent offices appropriation act and constitutes a prohibition on the purchase, maintenance, or operation of aircraft (except for the Military and Naval Establishments) unless specifically authorized. Subsection (c) (1) deals with the limit on the purchase price allowable for new automobiles purchased by the Government.

The present figure is provided by the annual appropriation acts—for the fiscal year 1946, such amount as may be fixed by certain department heads but not to exceed the OPA limit or \$1,500. The new subsection provides that the price shall not exceed a general maximum price fixed pursuant to law and in no event such amount as may be specified in an appropriation or other act. The new subsection (c) (2) prohibits the operation of automobiles and aircraft for the personal use of employees, with certain exceptions. The provision is taken from the annual independent offices appropriation act, except that the word "aircraft" has been added. The new subsection (d) requires that the annual budget for each department shall show in detail estimates of appropriations required for the purchase or hire of passenger motor vehicles or for the purchase, maintenance, or operation of aircraft and shall state the public purposes for which the conveyances are intended, the number of currently owned conveyances to be continued in use, and the officials or employees by whom all such conveyances are to be used. This is an adaptation of an act of 1914 on the same subject (5 U. S. C. 78). Subsection (e) provides that the acquisition of aircraft or passenger motor vehicles by any agency by transfer from another department is to be considered as a purchase within the meaning of the foregoing. The remainder of section 16 consists of the repeal of an act of 1904, pertaining to horse-drawn vehicles, and of a language change in the act of 1905, requiring the printing of the name of the department on all motor vehicles acquired and used for official purposes.

Section 17. Miscellaneous repeals and amendments.—Section 17 (a) repeals the following three statutes which are believed to have outlived their usefulness and to be obsolete:

(1) Section 1779, Revised Statutes, which seems to limit to \$30 the amount that may be spent for newspapers, etc., not necessary for the public business;

(2) An act of 1881 (44 U. S. C. 323), requiring that public advertising in the District of Columbia be given to newspapers of each of the two principal political parties and to neutral newspapers; and

(3) An act of 1898 (31 U. S. C. 678), requiring special appropriation for the purchase of lawbooks, books of reference, and periodicals for the use of any department.⁴

Section 17 (b) amends two statutes, as follows:

(1) An act of 1876 (44 U. S. C. 321), which regulates the publication of advertisements for contracts in the District of Columbia; and

(2) The act of June 23, 1906 (3 U. S. C. 43), which limits the appropriation for traveling expenses for the President to \$25,000 per annum. It is proposed to increase that figure to \$40,000.

Section 18. Definitions and coverage.—The usual definitions of the word "department," etc., are here included, but there is especially called to the attention of the Congress the specific language making the transactions of wholly owned Government corporations subject to the authorizations and limitations of the bill, except that section 9 (pertaining to advertising for purchases and sales) is to apply to only the administrative transactions of the wholly owned Government corporations. This language is implemented by a provision construing the word "appropriation" as including funds made available by legislation under the Government Corporation Control Act, approved December 6, 1945. The extent to which the Government corporations are free from the regulatory and prohibitory statutes enacted from time to time with respect to the public business of the United States is a question which Congress has never undertaken fully to settle. However, there can be no doubt that one, and perhaps the principal, motive for which authority is sought to use the corporate device has been to make it possible for the functions entrusted to such an instrumentality to be carried out without regard to many of the statutes such as are considered in the present bill. Most clearly is that true with respect to the direct operating transactions of the corporations, particularly the purchase and sale of property.

The only section of the present bill which would seem greatly to affect such operating transactions is made subject to the exception above noted with reference to the corporations. The remainder of the bill seems to affect mainly the administrative expenses of the corporations. In line with the policy of the Congress, which since 1936⁵ has become increasingly apparent, it is provided by the bill that except for advertising for purchases and sales, the wholly owned corporations are to be covered to the same extent as other Government agencies. The committee is impressed that with respect to such topics as travel expenses upon change of station, automobile mileage, the hire of consultants and experts and payment of their travel expenses, the trade-in of old equipment for new, awards to employees for suggestions, and the purchase and use of automobiles and aircraft,

⁴ The committee finds that this requirement has in many cases simply resulted in adding language to appropriation acts without accomplishing any specific limitation or deterrent. Even without such requirement the Congress will have full power to place a limitation on such expenditures whenever it so desires.

⁵ The act of June 22, 1936 (15 U. S. C. 712a), referred to 13 Government corporations, including HOLC, Export-Import Bank, RFC, and Commodity Credit, and prohibited any obligation for administrative expenses except pursuant to an annual appropriation. Subsequently, the annual acts appropriating or regulating the availability of funds for administrative expenses of a number of the corporations have provided that no such funds shall be obligated or expended until the funds have been set up as an appropriation account and such expenditures shall be accounted for and audited in accordance with the Budget and Accounting Act. See, for example, Public Law 49, approved May 3, 1945, and many others which are referred to in S. Doc. No. 86, 79th Cong.

no sound reason has been presented for treating the corporations differently than other agencies. If, as is sometimes asserted, statutory rules of the type just listed are too restrictive to permit efficient operation and unnecessary in the public interest, then such criticism should apply equally whether the function concerned is one carried on by a corporation or by a department, and the committee, upon convincing proof of any such assertion, would consider recommending a general repeal or revision of the offensive legislation.

Section 19. Coverage.—Section 19 provides that the sections pertaining to civilian personnel do not apply to persons covered by the Pay Readjustment Act of 1942 which includes the military and naval forces.

Section 20. Effective date.—In making the act effective immediately (except secs. 1 and 2, which are to become effective 3 months after the enactment), it is to be presumed that the numerous corresponding provisions of the independent offices appropriation act or other laws on the same subject matter, will be superseded when the present bill shall have been approved.

In compliance with clause 2a of rule XIII of the Rules of the House of Representatives, there is printed herewith in parallel columns (1) the text of provisions of existing laws which it is proposed to repeal or amend, and (2) the parts of the bill making the repeal or amendment.

EXISTING LAW

Act of October 10, 1940 (54 Stat. 1105; 5 U. S. C. 73c-1)

Expenses which now or hereafter may be authorized by law to be paid from Government funds for the packing, crating, drayage, and transportation of household goods and personal effects of civilian officers and employees of any of the executive departments or establishments of the United States when transferred from one official station to another for permanent duty shall hereafter be allowed and paid, when specifically authorized or approved by the head of the department or establishment concerned, under such rules and regulations as may be prescribed by the President, which regulations shall prescribe, among other matters, the maximum weight of the property, not to exceed five thousand pounds gross or the equivalent thereof when transportation charges are based on cubic measurement, which may be packed, crated, hauled, transported, and unpacked at Government expense: *Provided*, That no part of such expenses shall be paid from Government funds where the transfer is made at the request and primarily for the convenience or benefit of the officer or employee: *Provided further*, That nothing herein shall affect the allowance and payment of expenses for, or incident to, the transportation of effects of officers and employees of the foreign service, Department of State, except where the transfer is made at the request and primarily for the convenience or benefit of the officer or employee.

Section 5 of the act of March 4, 1923, as amended (19 U. S. C. 48)

All customs officers and employees, including customs officers and employees in foreign countries, in addition to their compensation shall receive their necessary traveling expenses and actual expenses incurred for subsistence while traveling on duty and away from their designated station, and when transferred from one official station to another for duty may be allowed, within the discretion and under written orders of the Secretary of the Treasury, the expenses

PROPOSED LAW

SEC. 1. (a) Under such regulations as the President may prescribe, any civilian officer or employee of the Government who, in the interest of the Government, is transferred from one official station to another, including transfer from one department to another, for permanent duty, shall, except as otherwise provided herein, when authorized, in the order directing the travel, by such subordinate official or officials of the department concerned as the head thereof may designate for the purpose, be allowed and paid from Government funds the expenses of travel of himself and the expenses of transportation of his immediate family (or a commutation thereof in accordance with the Act of February 14, 1931) and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects (not to exceed five thousand pounds if uncrated or six thousand two hundred and fifty pounds if crated or the equivalent thereof when transportation charges are based on cubic measurement): *Provided*, That advance of funds may be made to the officer or employee in accordance with said regulations under the same safeguards as are required under the Subsidence Expense Act of 1926 (5 U. S. C. 828): *Provided further*, That the allowances herein authorized shall not be applicable to civilian employees of the War Department and their dependents when transferred under the provisions of section 3 of the Act of June 5, 1942 (50 U. S. C. 763), nor to officers and employees of the Foreign Service, Department of State: *Provided further*, That no part of such expenses (including those of officers and employees of the Foreign Service, Department of State) shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee or at his request: *Provided further*, That in case of transfer from one department to another such expenses shall be payable from the funds of the department to which the officer or employee is transferred.

incurred for packing, crating, freight, and drayage in the transfer of their household effects and other personal property.

The first sentence of section 645 (a) Tariff Act of 1930 (19 U. S. C. 1645 (a))

In the case of a transfer to or from an official station in a foreign country, or from one official station to another in a foreign country, customs officers and employees may be allowed, within the discretion and under written orders of the Secretary of the Treasury, the actual and necessary traveling and subsistence expenses of their families in respect of such transfer.

Act of March 4, 1911 (36 Stat. 1265; 5 U. S. C. 539)

Officers and employees of the Department of Agriculture transferred from one official station to another for permanent duty, when authorized by the Secretary of Agriculture, may be allowed actual traveling expenses, including charges for the transfer of their effects and personal property used in official work, under such rules and regulations as may be prescribed by the Secretary of Agriculture.

Act of June 25, 1940 (54 Stat. 571; 39 U. S. C. 601a)

Hereafter officers and regular clerks in the Railway Mail Service, when arbitrarily transferred under orders of the Department from one official station to another for permanent duty, and who actually have to change their residence, may be allowed their actual and necessary transportation expenses for moving their household goods, including packing and drayage, not in excess of three thousand five hundred pounds.

Act of February 21, 1942 (56 Stat. 97)

During the continuance of the present war and for six months thereafter, any appropriations heretofore or hereafter made available for expenses of travel of civilian officers and employees of the War and Navy Departments and the Coast Guard shall be available also for expenses of travel performed by them on transfer from one official station to another when authorized, by such responsible officer or officers of the Department concerned as the head thereof may designate for that purpose, in the order directing the travel: *Provided*, That such expenses shall not be allowed for any transfer effected for the convenience of the officer or employee.

(b) In lieu of the payment of actual expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects, in the case of such transfers between points in continental United States, reimbursement shall be made to the officer or employee on a commuted basis (not to exceed the amount which would be allowable for the authorized weight allowance) at such rates per one hundred pounds as may be fixed by zones in regulations prescribed by the President.

(d) Funds available for travel expenses of civilian officers and employees shall also be available for the expenses of the transportation of their immediate families, and funds available for the transportation of things shall also be available for the transportation of household goods and effects, as authorized by this Act.

PROPOSED LAW

SEC. 3. The act of February 14, 1931 (5 U. S. C. 73a), as amended, is further amended to read as follows:

"Civilian officers or employees or others rendering service to the Government shall, under regulations prescribed by the President, and unless otherwise provided in the appropriation concerned or other law, and whenever such mode of transportation is authorized or approved as more advantageous to the Government, be paid in lieu of actual expenses of transportation not to exceed 2 cents per mile for the use of privately owned motorcycles or 5 cents per mile for the use of privately owned automobiles or airplanes when engaged in necessary travel on official trips from their designated posts of duty or places of service, or 2 cents per mile for the use of privately owned motorcycles or 4 cents per mile for the use of privately owned automobiles when used on official business wholly within the limits of their official stations or places of service. In addition to the mileage allowances provided for in this section, there may be allowed reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls."

SEC. 6. Section 10 of the act of March 3, 1933 (5 U. S. C. 73b), is hereby amended to read as follows:

"Sec. 10. Whenever by or under authority of law actual expenses for transportation may be allowed, such allowances shall not exceed the lowest first-class rate by the transportation facility used in such transportation unless it is certified, in accordance with regulations prescribed by the President, that lowest first-class accommodations are not available or that use of a compartment or such other accommodations as may be authorized or approved by the head of the agency concerned or such subordinates as he may designate, is required for purposes of security."

SEC. 9. (a) Section 3709 of the Revised Statutes of the United States is hereby amended to read as follows:

"Unless otherwise provided in the appropriation concerned or other law, purchases and contracts for supplies or services for the Government may be made or entered into only after advertising a sufficient time previously for proposals, except (1) when the amount involved in any one case does not exceed \$100, (2) when the public exigencies require the immediate delivery of the articles or per-

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The act of February 14, 1931, as amended (5 U. S. C. 73a)

A civilian officer or employee engaged in necessary travel on official business away from his designated post of duty may be paid, in lieu of actual expenses of transportation, under regulations to be prescribed by the President, not to exceed 2 cents per mile for the use of a privately owned motorcycle or 5 cents per mile for the use of a privately owned automobile or airplane for such transportation, whenever such mode of travel has been previously authorized and payment on such mileage basis is more economical and advantageous to the United States.

Section 10 of the act of March 3, 1933 (5 U. S. C. 73b)

Whenever by or under authority of law actual expenses for travel may be allowed to officers or employees of the United States, such allowances, in the case of travel ordered after March 3, 1933, shall not exceed the lowest first-class rate by the transportation facility used in such travel.

Section 3709, Revised Statutes (41 U. S. C. 5)

All purchases and contracts for supplies or services, in any of the departments of the Government, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles, or performance of the service. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open

formance of the service, (3) when only one source of supply is available and the Government purchasing or contracting officer shall so certify, or (4) when the services are to be performed by the contractor in person, under Government supervision, and paid for on a time basis. Except as authorized by section 29 of the Surplus Property Act of 1944 (50 U. S. C. App. 1638), or unless otherwise authorized by law, sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising, except when the reasonable value involved in any one case does not exceed \$100."

(b) Exemptions from section 3709, Revised Statutes, in other law in amounts of \$100 or less are hereby repealed.

purchase or contract, at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals.

The act of October 10, 1940 (54 Stat. 1109; 41 U. S. C. 6)

Section 3709 of the Revised Statutes shall not be construed to apply to any purchases or services authorized by any appropriation Act for the hereinafter-enumerated departments and independent offices—

(a) Where the aggregate amount involved does not exceed the sum of \$25—

- (1) The Civil Service Commission.
- (2) The Department of Commerce.
- (3) The Department of Justice.

(b) Where the aggregate amount involved does not exceed the sum of \$50—

- (1) The Administrative Office of the United States Courts.
- (2) The Department of Agriculture.
- (3) The Farm Credit Administration.
- (4) The Federal Bureau of Investigation in the field.
- (5) The Federal Home Loan Bank Board.
- (6) The Federal Power Commission.
- (7) The Federal Trade Commission.
- (8) The General Accounting Office.
- (9) The Interstate Commerce Commission.
- (10) The National Advisory Committee for Aeronautics.
- (11) The National Archives.
- (12) The National Labor Relations Board.
- (13) The Navy Department or its bureaus and offices.
- (14) The Railroad Retirement Board.
- (15) The Securities and Exchange Commission.
- (16) The Tariff Commission.
- (17) The Treasury Department.
- (18) The Veterans' Administration.

(c) Where the aggregate amount involved does not exceed the sum of \$100—

- (1) The Civil Aeronautics Board.
- (2) The Department of Labor.
- (3) The Federal Loan Agency.

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- (4) The Federal Works Agency.
 - (5) The Maritime Labor Board.
 - (6) The Rural Electrification Administration.
 - (7) The Smithsonian Institution.
 - (8) The United States Maritime Commission.
 - (9) The District of Columbia.
- Sec. 2. Section 3709 of the Revised Statutes shall not be construed to apply under any appropriation Act to the following departments and independent offices under the circumstances specified herein:

* * *

(b) Botanic Garden—to the purchase of supplies and equipment and the procurement of services made in the open market in the manner common among businessmen, when the aggregate amount of the purchase or the services does not exceed \$50 in any instance.

* * *

(d) Bureau of the Budget—to any purchases of office equipment and supplies when the amount involved in any case does not exceed \$50.

* * *

(e) The Bureau of Foreign and Domestic Commerce—to purchases of supplies and equipment or the procurement of services in foreign countries made in the open market in the manner common among businessmen when the aggregate amount of the purchase or service does not exceed \$100 in any instance.

* * *

(g) Department of the Interior, the bureaus and offices thereof, Howard University, and the Columbia Institution for the Deaf, at the seat of the government, as well as those located in the field outside the District of Columbia—to the purchase of supplies and equipment or the procurement of services made in open markets in the manner common among businessmen when the aggregate amount of the purchase or the service does not exceed \$100 in any one instance.

(h) Department of State—to any purchase or service when the aggregate amount does not exceed \$100.

(i) Federal Communications Commission—to any purchase or exchange of instruments when the aggregate amount involved does not exceed \$25.

(1) Social Security Board—to any purchase when the aggregate amount involved does not exceed \$100.

The act of June 12, 1917 (40 Stat. 144; 41 U. S. C. 6a (p))

The proviso clause under the head "General expenses", United States Geological Survey: *Provided*. That hereafter the purchase of supplies, or the procurement of services outside the District of Columbia may be made in open market in the manner common among businessmen when the aggregate amount of the purchase does not exceed \$50.

Section 364b, Revised Statutes (31 U. S. C. 529)

No advance of public money shall be made in any case whatever. And in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the service rendered, or of the articles delivered previously to such payment. It shall, however, be lawful, under the special direction of the President, to make such advances to the disbursing officers of the Government as may be necessary to the faithful and prompt discharge of their respective duties, and to the fulfillment of the public engagements. The President may also direct such advances as he may deem necessary and proper, to persons in the military and naval service employed on distant stations, where the discharge of the pay and emoluments to which they may be entitled cannot be regularly effected.

Section 3683, Revised Statutes (31 U. S. C. 675)

No part of the contingent fund appropriated to any department, bureau, or office, shall be applied to the purchase of any articles except such as the head of the department shall deem necessary and proper to carry on the business of the department, bureau, or office, and shall, by written order, direct to be procured.

Section 3828, Revised Statutes (44 U. S. C. 324)

No advertisement, notice, or proposal for any Executive Department of the Government, or for any bureau thereof, or for any office therewith connected, shall be published in any newspaper whatever, except in pursuance of a written authority for such

SEC. 11. The first sentence of section 3648 of the Revised Statutes (31 U. S. C. 529) is hereby amended to read as follows:

"No advance of public money shall be made in any case unless authorized by the appropriation concerned or other law."

SEC. 12. The head of any department may delegate to subordinate officials (1) the power vested in him by other law to take final action on matters pertaining to the employment, direction, and general administration of personnel under his department; (2) the authority vested in him by section 3683 of the Revised Statutes (31 U. S. C. 675) to direct the purchase of articles from contingent funds; and (3) the authority vested in him by section 3828, Revised Statutes (44 U. S. C. 324), to authorize the publication of advertisements, notices, or proposals.

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publication from the head of such department; and no bill for any such advertising, or publication, shall be paid, unless there be presented, with such bill, a copy of such written authority.

Act of July 17, 1912 (37 Stat. 193; 50 U. S. C. 58)

The Secretary of War is hereby authorized to offer periodically at such of the establishments of the Ordnance Department as he may select a cash reward for the suggestion, or series of suggestions, for an improvement or economy in manufacturing processes or plant, submitted within the period by one or more employees of the establishment which shall be deemed the most valuable of those submitted and adopted for use: *Provided*, That to obtain this reward the winning suggestion must be one that will clearly effect a material economy in production or increase efficiency or enhance the quality of the product in comparison with its cost and in the opinion of the Secretary shall be so worthy as to entitle the employee making the same to receive the reward: *Provided further*, That the sums awarded to employees in accordance with this section shall be paid them in addition to their usual compensation and shall constitute part of the general or shop expense of the establishment: *Provided further*, That the total amount paid under the provisions of this section shall not exceed \$1,000 for any one month: *And provided further*, That no employee shall be paid a reward under this section until he has properly executed an agreement to the effect that the use by the United States of the suggestion, or series of suggestions, made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns, and that application for patent has not been made for the invention.

Act of July 1, 1918 (40 Stat. 718; 5 U. S. C. 416)

The Secretary of the Navy is authorized, in his discretion and under such rules and regulations as he may prescribe, to pay cash rewards to civilian employees of the Navy Department or the Naval Establishment or other persons in civil life when due to a suggestion or series of suggestions by them there results an improvement or economy in manufacturing process or plant or naval material. Such sums as may be awarded to employees or other persons in civil life in accordance with this section shall be paid them

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SEC. 14. The head of each department is authorized, under such rules and regulations as the President may prescribe, to pay cash awards to civilian officers and employees (or to their estates) who make meritorious suggestions which will result in improvement or economy in the operations of his department and which have been adopted for use: *Provided*, That no award shall be paid to any officer or employee for any suggestion which represents a part of the normal requirements of the duties of his position. With the exception of the War and Navy Departments, the amount of any one award shall not exceed \$1,000 and the total of cash awards paid during any fiscal year in any department shall not exceed \$25,000. Payments may be made from the appropriation for the activity primarily benefiting or may be distributed among appropriations for activities benefiting as the head of the department determines. A cash award shall be in addition to the regular compensation of the recipient and the acceptance of such cash award shall constitute an agreement that the use by the United States of the suggestion for which the award is made shall not form the basis of a further claim of any nature upon the United States by him, his heirs or assigns.

Effective July 1, 1946, all other Acts or parts of Acts in conflict with the provisions of this section are hereby repealed.

out of current naval appropriations in addition to their usual compensation. No employee or other person in civil life shall be paid a reward under this section until he has properly executed an agreement to the effect that the use by the United States of the suggestion or series of suggestions made by him shall not form the basis of a further claim of any nature from the United States by him, his heirs, or assigns.

Act of March 13, 1944 (58 Stat. 115; 48 U. S. C. 1111b)

The United States Maritime Commission is authorized to pay cash awards for suggestions submitted to it by any of its officers or employees in cases where the suggestion, in the opinion of the Commission or of a committee designated by it, would, if adopted, make for substantially increased efficiency, economy, or general improvement in carrying out the duties, powers, or functions of the Commission. Such suggestions shall be submitted and such awards shall be made under such rules and regulations as the Commission may prescribe, including provision for transfer to the United States of all rights or interests of the officer or employee in the suggestion. The provisions of this section shall apply in like manner to the War Shipping Administration and its officers and employees, and for the purpose of this section the terms "United States Maritime Commission" and "Commission" shall be deemed to refer to the War Shipping Administration. The total amount of cash awards made under this joint resolution in any fiscal year shall not exceed \$5,000 for each such agency, and the amount paid for any one suggestion shall not exceed \$250 for any one suggestion, except in case of a patentable idea, it may be not more than \$1,000.

Act of June 26, 1944 (58 Stat. 360; 5 U. S. C. 500)

The Secretary of the Interior is authorized to pay cash rewards, subject to such regulations as he shall prescribe, to officers and employees of the Department of the Interior, who, in the course of their employment, and subsequent to November 17, 1942, make suggestions or inventions which are of such a nature that their adoption would result in improved technological or scientific processes or methods, or in improvements in the administration or operations of the Department of Interior. The amount expended for the payment of such rewards during any one fiscal year shall

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not exceed \$20,000 in the aggregate and shall not exceed \$1,000 to any one person, unless a greater amount is specifically appropriated for a named person in an exceptionally meritorious case. For the purposes of this section, the Secretary of the Interior is authorized and directed to set up in the Department a Board of Awards, the proceedings of which shall be available to the public. Nothing in this section shall be taken or construed as amending or modifying the present patent and trade-mark laws as they now exist or may hereafter be amended.

Act of December 3, 1945 (Public Law 240, 79th Cong.)

The Postmaster General is authorized, under such rules and regulations as he may prescribe, to pay a cash reward for any invention, suggestion, or series of suggestions submitted by one or more employees of the Post Office Department or the Postal Service, which will clearly effect a material economy or increase efficiency in the administration or operation of the Post Office Department or the Postal Service, and which has been adopted for use.

The total amount of rewards made under this Act in any one fiscal year shall not exceed \$25,000 and the amount so paid for any one invention, suggestion, or series of suggestions shall not exceed \$1,000.

Rewards made under this Act shall be paid out of the appropriation for the postal activity primarily benefiting, or may be distributed among appropriations for postal activities benefiting, as the Postmaster General may determine. Payments shall be in addition to the regular compensation of the employee receiving the reward. No employee shall be paid a reward under this Act until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns.

Section 5 of the act of July 16, 1914 (5 U. S. C. 78)

No appropriation made in any Act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or other Government establishments, or any branch of the Government serv-

SEC. 16. (a) Section 5 of the act of July 16, 1914 (5 U. S. C. 78), is amended to read as follows:

"Sec. 5. (a) Unless specifically authorized by the appropriation concerned or other law, no appropriation shall be expended to purchase or hire passenger motor vehicles for any branch of the Govern-

ment other than those for the use of the President of the United States, the secretaries to the President, or the heads of the executive departments enumerated in 5 U. S. C. 1.

"(b) Excepting appropriations for the Military and Naval Establishment, no appropriation shall be available for the purchase, maintenance, or operation of any aircraft unless specific authority for the purchase, maintenance, or operation thereof has been or is provided in such appropriation.

"(c) Unless otherwise specifically provided, no appropriation available for any department shall be expended—

"(1) to purchase any passenger motor vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of the maximum price therefor, if any, established pursuant to law by a Government agency and in no event more than such amount as may be specified in an appropriation or other Act, which shall be in addition to the amount required for transportation;

"(2) for the maintenance, operation, and repair of any Government-owned passenger motor vehicle or aircraft not used exclusively for official purposes; and 'official purposes' shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department concerned. Any officer or employee of the Government who willfully uses or authorizes the use of any Government-owned passenger motor vehicle or aircraft, or of any passenger motor vehicle or aircraft leased by the Government, for other than official purposes or otherwise violates the provisions of this subsection shall be suspended from duty by the head of the department concerned, without compensation, for not less than one month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant. The limitations of this subsection (c) (2) shall not apply to any motor vehicles or aircraft for official use of the President, the heads of the executive de-

ice, unless specific authority is given therefor. There shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law. In the estimates for each fiscal year there shall be submitted in detail estimates for such necessary appropriations as are intended to be used for purchase, maintenance, repair, or operation of all motor-propelled or horse-drawn passenger-carrying vehicles, specifying the sums required, the public purposes for which said vehicles are intended, and the officials or employees by whom the same are to be used.

partments enumerated in 5 U. S. C. 1, ambassadors, ministers' chargés d'affaires, and other principal diplomatic and consular officials.

"(d) In the budgets for the fiscal year 1948 and subsequent fiscal years there shall be submitted in detail estimates for such necessary appropriations as are intended to be used for purchase or hire of passenger motor vehicles or for purchase, maintenance, or operation of aircraft, specifying the sums required, the public purposes for which said conveyances are intended, the number of currently owned conveyances to be continued in use, and the officials or employees by whom all of such conveyances are to be used.

"(e) The acquisition of aircraft or passenger motor vehicles by any agency by transfer from another department of the Government shall be considered as a purchase within the meaning hereof."

(b) The second paragraph of section 3 of the Act of March 18, 1904 (33 Stat. 142; 5 U. S. C. 77), is hereby repealed.

Second paragraph of section 3 of the act of March 18, 1904 (33 Stat. 142; 5 U. S. C. 77)

No part of any money appropriated by this or any other Act shall be available for paying expenses of horses and carriages or drivers therefor for the personal use of any officer provided for by this or any other Act other than the President of the United States, the heads of Executive Departments, and the Secretary to the President: *Provided*, That this provision shall not apply to officials outside of the District of Columbia in the performance of their public duties. This paragraph shall not take effect until July first, nineteen hundred and four.

Section 4 of the act of February 3, 1905 (33 Stat. 687; 5 U. S. C. 77)

No part of any money appropriated by this or any other Act shall be used for purchasing, maintaining, driving, or operating any carriage or vehicle (other than those for the use of the President of the United States, the heads of the Executive Departments, and the Secretary to the President, and other than those used for transportation of property belonging to or in the custody of the United States), for the personal or official use of any officer or employee of any of the Executive Departments or other Government establishments at Washington, District of Columbia, unless the same shall be specifically authorized by law or provided for in terms

Section 4 of the Act of February 3, 1905 (33 Stat. 687; 5 U. S. C. 77), is hereby amended to read as follows:

"All motor vehicles acquired and used for official purposes of the departmental service in the District of Columbia shall have conspicuously imprinted thereon at all times the full name of the executive department or other branch of the public service to which the same belong and in the service of which the same are used."

by appropriation of money, and all such carriages and vehicles so procured and used for official purposes shall have conspicuously painted thereon at all times the full name of the Executive Department or other branch of the public service to which the same belong and in the service of which the same are used.

Section 1779, Revised Statutes (5 U. S. C. 102)

No executive officer, other than the heads of Departments, shall apply more than thirty dollars, annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office.

The act of January 21, 1881 (21 Stat. 317, 44 U. S. C. 323)

All advertising required by existing laws to be done in the District of Columbia by any of the departments of the Government shall be given to one daily and one weekly newspaper of each of the two principal political parties and to one daily and one weekly neutral newspaper: *Provided*, That the rates of compensation for such service shall in no case exceed the regular commercial rate of the newspapers selected; nor shall any advertisement be paid for unless published in accordance with section thirty-eight hundred and twenty-eight of the Revised Statutes.

Section 3 of the act of March 15, 1898 (31 U. S. C. 678)

Law books, books of reference, and periodicals for use of any executive department, or other Government establishment not under an executive department, at the seat of Government, shall not be purchased or paid for from any appropriation made for contingent expenses or for any specific or general purpose unless such purchase is authorized and payment therefor specifically provided in the law granting the appropriation.

Act of July 31, 1876 (44 U. S. C. 321; 19 Stat. 105)

After March 4, 1875, the laws shall not be published in newspapers. All executive proclamations, and all treaties required by law to be published, shall be published in only one newspaper, the same to be printed and published in the District of Columbia and

Sec. 17. (a) The following statutes or parts of statutes are hereby repealed:

Section 1779 of the Revised Statutes (5 U. S. C. 102) reading as follows:

"No executive officer, other than the heads of departments, shall apply more than \$30 annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office."

The Act of January 21, 1881 (44 U. S. C. 323).

Section 3 of the Act of March 15, 1898 (31 U. S. C. 678).

(b) That portion of the Act of July 31, 1876 (44 U. S. C. 321; 19 Stat. 105), reading as follows: "and in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are

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to be designated by the Secretary of State; and in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia.

Act of June 23, 1906 (3 U. S. C. 43)

There may be expended for or on account of the traveling expenses of the President of the United States such sum as Congress may from time to time appropriate, not exceeding \$25,000 per annum, such sum when appropriated to be expended in the discretion of the President and accounted for on his certificate solely.

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to be furnished or performed in said District of Columbia" is hereby amended by adding at the end thereof "or in the adjoining counties of Maryland or Virginia".

(c) That portion of the Act of June 23, 1906 (3 U. S. C. 43) reading as follows: "not exceeding \$25,000 per annum" is hereby amended to read, "not exceeding \$40,000 per annum".

H. R. 6533

[Report No. 2186]

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 1946

Mr. MANASCO introduced the following bill; which was referred to the Committee on Expenditures in the Executive Departments

MAY 29, 1946

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To authorize certain administrative expenses in the Government service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) under such regulations as the President may
4 prescribe, any civilian officer or employee of the Govern-
5 ment who, in the interest of the Government, is transferred
6 from one official station to another, including transfer from
7 one department to another, for permanent duty, shall, except
8 as otherwise provided herein, when authorized, in the order
9 directing the travel, by such subordinate official or officials
10 of the department concerned as the head thereof may
11 designate for the purpose, be allowed and paid from Gov-

1 ernment funds the expenses of travel of himself and the
2 expenses of transportation of his immediate family (or a
3 commutation thereof in accordance with the Act of February
4 14, 1931) and the expenses of transportation, packing,
5 crating, temporary storage, drayage, and unpacking of his
6 household goods and personal effects (not to exceed five
7 thousand pounds if uncrated or six thousand two hundred
8 and fifty pounds if crated or the equivalent thereof when
9 transportation charges are based on cubic measurement) :
10 *Provided*, That advances of funds may be made to the officer
11 or employee in accordance with said regulations under the
12 same safeguards as are required under the Subsistence Ex-
13 pense Act of 1926 (5 U. S. C. 828) : *Provided further*, That
14 the allowances herein authorized shall not be applicable to
15 civilian employees of the War Department and their depend-
16 ents when transferred under the provisions of section 3 of
17 the Act of June 5, 1942 (50 U. S. C. 763), nor to officers
18 and employees of the Foreign Service, Department of State:
19 *Provided further*, That no part of such expenses (including
20 those of officers and employees of the Foreign Service,
21 Department of State) shall be allowed or paid from Gov-
22 ernment funds where the transfer is made primarily for the
23 convenience or benefit of the officer or employee or at his
24 request: *Provided further*, That in case of transfer from one
25 department to another such expenses shall be payable from

1 the funds of the department to which the officer or employee
2 is transferred.

3 (b) In lieu of the payment of actual expenses of
4 transportation, packing, crating, temporary storage, dray-
5 age, and unpacking of household goods and personal effects,
6 in the case of such transfers between points in continental
7 United States, reimbursement shall be made to the officer
8 or employee on a commuted basis (not to exceed the amount
9 which would be allowable for the authorized weight allow-
10 ance) at such rates per one hundred pounds as may be fixed
11 by zones in regulations prescribed by the President.

12 (c) Funds available for travel expenses of civilian
13 officers and employees shall also be available for the ex-
14 penses of the transportation of their immediate families, and
15 funds available for the transportation of things shall also be
16 available for the transportation of household goods and
17 effects, as authorized by this Act.

18 SEC. 2. The Act of October 10, 1940 (5 U. S. C.
19 73c-1), relating to allowances for the transportation of
20 household goods, section 5 of the Act of March 4, 1923,
21 as amended (19 U. S. C. 48), relating to traveling and
22 subsistence expenses of customs officers and employees,
23 the first sentence of section 645 (a) of the Tariff Act of
24 1930 (19 U. S. C. 1645 (a)), relating to traveling and
25 subsistence expenses of the families of such officers and

1 employees, and other Acts relating to allowances to civilian
2 officers and employees in the executive branch of the Govern-
3 ment (except those mentioned in the second proviso clause
4 of section 1 (a) of this Act) on transfer from one official
5 station to another for permanent duty, are hereby repealed.

6 SEC. 3. The Act of February 14, 1931 (5 U. S. C.
7 73a), as amended, is further amended to read as follows:

8 "Civilian officers or employees or others rendering serv-
9 ice to the Government shall, under regulations prescribed
10 by the President, and unless otherwise provided in the
11 appropriation concerned or other law, and whenever such
12 mode of transportation is authorized or approved as more
13 advantageous to the Government, be paid in lieu of actual
14 expenses of transportation not to exceed 2 cents per mile for
15 the use of privately owned motorcycles or 5 cents per mile for
16 the use of privately owned automobiles or airplanes when en-
17 gaged in necessary travel on official trips from their desig-
18 nated posts of duty or places of service, or 2 cents per mile
19 for the use of privately owned motorcycles or 4 cents per
20 mile for the use of privately owned automobiles when used
21 on official business wholly within the limits of their official
22 stations or places of service. In addition to the mileage
23 allowances provided for in this section, there may be allowed
24 reimbursement for the actual cost of ferry fares and bridge,
25 road, and tunnel tolls."

1 SEC. 4. Until June 30, 1948, when authorized in an
2 appropriation or other Act, appropriations available for
3 travel expenses shall be available for the payment, with-
4 out regard to the rates authorized by the Subsistence Ex-
5 pense Act of 1926, as amended (5 U. S. C. 821-833),
6 of per diem allowances in lieu of subsistence expenses to
7 civilian officers and employees of departments while travel-
8 ing on official business outside continental United States
9 and away from their designated posts of duty: *Provided*,
10 That the amount of such allowances shall be determined
11 by the head of the department concerned or by such sub-
12 ordinates as he may designate for the purpose, but shall
13 in no case exceed the maximum established by regula-
14 tions prescribed by the President for the locality in which
15 the travel is performed.

16 SEC. 5. Persons in the Government service employed
17 intermittently as consultants or experts and receiving compen-
18 sation on a per diem when actually employed basis may
19 be allowed travel expenses while away from their homes
20 or regular places of business, including per diem in lieu
21 of subsistence while at place of such employment, in ac-
22 cordance with the Standardized Government Travel Regula-
23 tions, Subsistence Expense Act of 1926, as amended (5
24 U. S. C. 821-833), and the Act of February 14, 1931, as
25 amended by this Act, and persons serving without compen-

1 sation or at \$1 per annum may be allowed, while away
2 from their homes or regular places of business, transporta-
3 tion in accordance with said regulations and said Act of
4 February 14, 1931, as so amended, and not to exceed
5 \$10 per diem in lieu of subsistence en route and at place
6 of such service or employment unless a higher rate is specifi-
7 cally provided in an appropriation or other Act.

8 SEC. 6. Section 10 of the Act of March 3, 1933 (5
9 U. S. C. 73b), is hereby amended to read as follows:

10 "SEC. 10. Whenever by or under authority of law
11 actual expenses for transportation may be allowed, such al-
12 lowances shall not exceed the lowest first-class rate by the
13 transportation facility used in such transportation unless it
14 is certified, in accordance with regulations prescribed by
15 the President, that lowest first-class accommodations are
16 not available or that use of a compartment or such other
17 accommodations as may be authorized or approved by the
18 head of the agency concerned or such subordinates as he
19 may designate, is required for purposes of security."

20 SEC. 7. Appropriations for the departments shall be
21 available, in accordance with regulations prescribed by the
22 President, for expenses of travel of new appointees, ex-
23 penses of transportation of their immediate families and
24 expenses of transportation of their household goods and per-
25 sonal effects from places of actual residence at time of

1 appointment to places of employment outside continental
2 United States, and for such expenses on return of employees
3 from their posts of duty outside continental United States to
4 the places of their actual residence at time of assignment to
5 duty outside the United States: *Provided*, That such ex-
6 penses shall not be allowed new appointees unless and until
7 the person selected for appointment shall agree in writing
8 to remain in the Government service for the twelve months
9 following his appointment, unless separated for reasons
10 beyond his control. In case of a violation of such agreement
11 any moneys expended by the United States on account of
12 such travel and transportation shall be considered as a debt
13 due by the individual concerned to the United States. This
14 section shall not apply to appropriations for the Foreign
15 Service, State Department.

16 SEC. 8. In purchasing motor-propelled or animal-drawn
17 vehicles or tractors, or road, agricultural, manufacturing, or
18 laboratory equipment, or boats, or parts, accessories, tires, or
19 equipment thereof, or any other article or item the exchange
20 of which is authorized by law, the head of any department or
21 his duly authorized representative may exchange or sell
22 similar items and apply the exchange allowances or proceeds
23 of sales in such cases in whole or in part payment therefor:
24 *Provided*, That any transaction carried out under the authority
25 of this section shall be evidenced in writing.

1 SEC. 9. (a) Section 3709 of the Revised Statutes of the
2 United States is hereby amended to read as follows: .

3 “Unless otherwise provided in the appropriation con-
4 cerned or other law, purchases and contracts for supplies
5 or services for the Government may be made or entered
6 into only after advertising a sufficient time previously for
7 proposals, except (1) when the amount involved in any
8 one case does not exceed \$100, (2) when the public
9 exigencies require the immediate delivery of the articles
10 or performance of the service, (3) when only one source
11 of supply is available and the Government purchasing or
12 contracting officer shall so certify, or (4) when the services
13 are to be performed by the contractor in person, under Gov-
14 ernment supervision, and paid for on a time basis. Except
15 as authorized by section 29 of the Surplus Property Act of
16 1944 (50 U. S. C. App. 1638), or unless otherwise author-
17 ized by law, sales and contracts of sale by the Government
18 shall be governed by the requirements of this section for
19 advertising, except when the reasonable value involved in
20 any one case does not exceed \$100.”

21 (b) Exemptions from section 3709, Revised Statutes,
22 in other law in amounts of \$100 or less are hereby repealed.

23 SEC. 10. Whenever a department is authorized by law
24 to hold hearings and to subpoena witnesses for appearance

1 at said hearings, witnesses summoned to and attending such
2 hearings shall be entitled to the same fees and mileage, or
3 expenses in the case of Government officers and employees,
4 as provided by law for witnesses attending in the United
5 States courts.

6 SEC. 11. The first sentence of section 3648 of the
7 Revised Statutes (31 U. S. C. 529) is hereby amended
8 to read as follows:

9 "No advance of public money shall be made in any case
10 unless authorized by the appropriation concerned or other
11 law."

12 SEC. 12. The head of any department may delegate
13 to subordinate officials (1) the power vested in him by
14 other law to take final action on matters pertaining to the
15 employment, direction, and general administration of per-
16 sonnel under his department; (2) the authority vested in
17 him by section 3683 of the Revised Statutes (31 U. S. C.
18 675) to direct the purchase of articles from contingent funds;
19 and (3) the authority vested in him by section 3828, Re-
20 vised Statutes (44 U. S. C. 324), to authorize the publica-
21 tion of advertisements, notices, or proposals.

22 SEC. 13. Appropriations available for the procurement
23 of supplies and material or equipment shall be available for
24 the purchase and maintenance of special clothing and equip-

1 ment for the protection of personnel in the performance of
2 their assigned tasks.

3 SEC. 14. The head of each department is authorized,
4 under such rules and regulations as the President may pre-
5 scribe, to pay cash awards to civilian officers and employees
6 (or to their estates) who make meritorious suggestions which
7 will result in improvement or economy in the operations of
8 his department and which have been adopted for use: *Pro-*
9 *vided*, That no award shall be paid to any officer or employee
10 for any suggestion which represents a part of the normal
11 requirements of the duties of his position. With the excep-
12 tion of the War and Navy Departments, the amount of any
13 one award shall not exceed \$1,000 and the total of cash
14 awards paid during any fiscal year in any department shall
15 not exceed \$25,000. Payments may be made from the ap-
16 propriation for the activity primarily benefiting or may be
17 distributed among appropriations for activities benefiting as
18 the head of the department determines. A cash award shall
19 be in addition to the regular compensation of the recipient
20 and the acceptance of such cash award shall constitute an
21 agreement that the use by the United States of the suggestion
22 for which the award is made shall not form the basis of a
23 further claim of any nature upon the United States by him,
24 his heirs or assigns.

25 Effective July 1, 1946, all other Acts or parts of Acts

1 in conflict with the provisions of this section are hereby
2 repealed.

3 SEC. 15. The head of any department, when authorized
4 in an appropriation or other Act, may procure the temporary
5 (not in excess of one year) or intermittent services of experts
6 or consultants or organizations thereof, including steno-
7 graphic reporting services, by contract, and in such cases
8 such service shall be without regard to the civil-service and
9 classification laws (but at rates not in excess of the per diem
10 equivalent of the highest rate payable under the Classification
11 Act, unless other rates are specifically provided in the appro-
12 priation or other law) and, except in the case of stenographic
13 reporting services by organizations, without regard to section
14 3709, Revised Statutes, as amended by this Act.

15 SEC. 16. (a) Section 5 of the Act of July 16, 1914
16 (5 U. S. C. 78), is amended to read as follows:

17 "SEC. 5. (a) Unless specifically authorized by the ap-
18 propriation concerned or other law, no appropriation shall
19 be expended to purchase or hire passenger motor vehicles
20 for any branch of the Government other than those for the
21 use of the President of the United States, the secretaries to
22 the President, or the heads of the executive departments
23 enumerated in 5 U. S. C. 1.

24 "(b) Excepting appropriations for the Military and
25 Naval Establishment, no appropriation shall be available for

1 the purchase, maintenance, or operation of any aircraft
2 unless specific authority for the purchase, maintenance, or
3 operation thereof has been or is provided in such appro-
4 priation.

5 “(c) Unless otherwise specifically provided, no appro-
6 priation available for any department shall be expended—

7 “(1) to purchase any passenger motor vehicle (ex-
8 clusive of busses, ambulances, and station wagons), at
9 a cost, completely equipped for operation, and includ-
10 ing the value of any vehicle exchanged, in excess of
11 the maximum price therefor, if any, established pur-
12 suant to law by a Government agency and in no event
13 more than such amount as may be specified in an
14 appropriation or other Act, which shall be in addition
15 to the amount required for transportation;

16 “(2) for the maintenance, operation, and repair
17 of any Government-owned passenger motor vehicle or
18 aircraft not used exclusively for official purposes; and
19 ‘official purposes’ shall not include the transportation
20 of officers and employees between their domiciles and
21 places of employment, except in cases of medical officers
22 on out-patient medical service and except in cases of
23 officers and employees engaged in field work the char-
24 acter of whose duties makes such transportation neces-
25 sary and then only as to such latter cases when the

1 same is approved by the head of the department con-
2 cerned. Any officer or employee of the Government
3 who willfully uses or authorizes the use of any Govern-
4 ment-owned passenger motor vehicle or aircraft, or of
5 any passenger motor vehicle or aircraft leased by the
6 Government, for other than official purposes or other-
7 wise violates the provisions of this subsection shall be
8 suspended from duty by the head of the department con-
9 cerned, without compensation, for not less than one
10 month, and shall be suspended for a longer period or
11 summarily removed from office if circumstances warrant.

12 The limitations of this subsection (c) (2) shall not
13 apply to any motor vehicles or aircraft for official use
14 of the President, the heads of the executive departments
15 enumerated in 5 U. S. C. 1, ambassadors, ministers,
16 *chargés d'affaires*, and other principal diplomatic and
17 consular officials.

18 “(d) In the budgets for the fiscal year 1948 and sub-
19 sequent fiscal years there shall be submitted in detail esti-
20 mates for such necessary appropriations as are intended to
21 be used for purchase or hire of passenger motor vehicles or
22 for purchase, maintenance, or operation of aircraft, specify-
23 ing the sums required, the public purposes for which said
24 conveyances are intended, the number of currently owned

1 conveyances to be continued in use, and the officials or em-
2 ployees by whom all of such conveyances are to be used.

3 “(c) The acquisition of aircraft or passenger motor
4 vehicles by any agency by transfer from another department
5 of the Government shall be considered as a purchase within
6 the meaning hereof.”

7 (b) The second paragraph of section 3 of the Act of
8 March 18, 1904 (33 Stat. 142; 5 U. S. C. 77), is hereby
9 repealed.

10 Section 4 of the Act of February 3, 1905 (33 Stat.
11 687; 5 U. S. C. 77), is hereby amended to read as follows:

12 “All motor vehicles acquired and used for official pur-
13 poses of the departmental service in the District of Columbia
14 shall have conspicuously imprinted thereon at all times the
15 full name of the executive department or other branch of the
16 public service to which the same belong and in the service
17 of which the same are used.”

18 SEC. 17. (a) The following statutes or parts of statutes
19 are hereby repealed:

20 Section 1779 of the Revised Statutes (5 U. S. C. 102)
21 reading as follows:

22 “No executive officer, other than the heads of depart-
23 ments, shall apply more than \$30, annually, out of the
24 contingent fund under his control, to pay for newspapers,

1 pamphlets, periodicals, or other books or prints not necessary
2 for the business of his office.”;

3 The Act of January 21, 1881 (44 U. S. C. 323) ;

4 Section 3 of the Act of March 15, 1898 (31 U. S. C.
5 678).

6 (b) That portion of the Act of July 31, 1876, (44
7 U. S. C. 321; 19 Stat. 105), reading as follows: “and in
8 no case of advertisement for contracts for the public service
9 shall the same be published in any newspaper published and
10 printed in the District of Columbia unless the supplies or
11 labor covered by such advertisement are to be furnished or
12 performed in said District of Columbia” is hereby amended
13 by adding at the end thereof “or in the adjoining counties
14 of Maryland or Virginia”.

15 (c) That portion of the Act of June 23, 1906 (3
16 U. S. C. 43) reading as follows: “not exceeding \$25,000
17 per annum” is hereby amended to read, “not exceeding
18 \$40,000 per annum”.

19 SEC. 18. The word “department” as used in this Act
20 shall be construed to include independent establishments,
21 other agencies, wholly owned Government corporations (the
22 transactions of which corporations shall be subject to the
23 authorizations and limitations of this Act, except that section
24 9 shall apply to their administrative transactions only), and

1 the government of the District of Columbia. The words
2 “continental United States” as used herein shall be construed
3 to mean the forty-eight States and the District of Columbia.
4 The word “Government” shall be construed to include the
5 government of the District of Columbia. The word “appro-
6 priation” shall be construed as including funds made available
7 by legislation under section 104 of the Government Corpora-
8 tion Control Act, approved December 6, 1945.

9 SEC. 19. Sections 1, 3, 4, 5, 7, 14, and 15 of this
10 Act shall not apply to persons whose pay and allowances
11 are established by the Pay Readjustment Act of 1942.

12 SEC. 20. Sections 1 and 2 of this Act shall become
13 effective on the first day of the third calendar month following
14 the enactment hereof.

79TH CONGRESS
2^D SESSION

H. R. 6533

[Report No. 2186]

A BILL

To authorize certain administrative expenses
in the Government service, and for other
purposes.

By Mr. MANASCO

MAY 23, 1946

Referred to the Committee on Expenditures in the
Executive Departments

MAY 29, 1946

Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed



CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section
(For Department staff only)

Issued June 4, 1946
For actions of June 3, 1946
79th-2nd, No. 105

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HIGHLIGHTS: House sent agricultural appropriation bill to conference. House passed Hanasco bill to provide substantive authority for administrative-expense provisions now carried in Independent Offices Act. Senate passed measure extending time during which alcohol plants may produce sugars or sirups. Senate passed bill reducing debt limit to \$275,000,000,000.

HOUSE

- ADMINISTRATIVE EXPENSES.** Passed as reported H. R. 6533; which provides substantive authority for general provisions now carried in the Independent Offices Appropriation Act on an annual basis, with modifications (pp. 6280-2). For bill's provisions see Digests 196 (1945) and 101.
- AGRICULTURAL APPROPRIATION BILL.** Reps. Tarver, Cannon of Mo., Sheppard, Whitten, Dirksen, Plumley, and Andersen were appointed conferees on this bill, H. R. 5605 (p. 6302). Senate conferees were appointed June 1.
- FORESTRY; MINERALS.** Passed without amendment S. 913, which provides for retaining U. S. control of the surfaces of locations and entries under the general mining laws adjacent to the Catalina Highway, Coronado National Forest, Ariz., except parts actually needed to conduct mining operations, and requires that use of the surface and the timber thereon, necessary for mining operations, be in conformity with national forest rules and regulations (p. 6276). This bill will now be sent to the President.
- RURAL REHABILITATION.** At the request of Rep. Kean, N. J., passed over S. 1336, to transfer the FSA Burlington Farms Project to N. Dak., after he had asked how much the project has cost the Government (p. 6276).
- AGRICULTURAL CONSERVATION PROGRAM.** At the request of Rep. Kean, passed over H. R. 6459, to continue Federal administration of the Soil Conservation and Domestic Allotment Act, after he had called attention to a statement in the report that the bill was to provide "a reasonable opportunity for legislative action" and asked how long that was (p. 6275).

6. WATER COMPACT. At the request of Rep. Robertson, Utah, after discussion, passed over H. R. 4701, to grant consent for Utah, Idaho, and Wyo. to enter a compact for division of Bear River waters (p. 6275).
7. FISHERIES. Passed as reported H. R. 5552, to authorize sale of surplus vessels suitable for fishing (p. 6277).
8. FARM MACHINERY. Rep. Clevenger, Ohio, said strikes have interfered with farm-machinery production and that this should receive Government attention (p. 6273).
9. ECONOMY; INFLATION. Rep. Buffett, Nebr., spoke in favor of economy in Government expenditures and control of inflation; he said housing subsidies and the British loan will contribute to inflation (pp. 6302-4).
10. ECONOMY. Rep. Rich, Pa., spoke in favor of economy in Government expenditures (p. 6273).

SENATE

11. SUGAR. Passed without amendment S. J. Res. 162, to extend for seven months (until Feb. 1, 1947) the period during which alcohol plants are permitted to produce sugars or sirups simultaneously with the production of alcohol (p. 6246).
12. PUBLIC DEBT. Passed as reported S. 1760, to decrease the debt limit from \$300,000,000,000 to \$275,000,000,000 (pp. 6245-6).
13. PERSONNEL; FOREIGN RELATIONS. Passed as reported H. R. 5244, to authorize the appointment of additional foreign-service officers in the classified grades (p. 6257).
14. BUILDINGS AND GROUNDS. Reconsidered and passed again with an amendment to authorize the exchange of Federal land for other land in Portland, Oreg. H. R. 5407, to grant EWA certain powers regarding site acquisition, building construction, purchase of buildings, etc. (p. 6246). Sens. Andrews, Fulbright, and Taft were again appointed conferees (p. 6246).
15. GOVERNMENT TRAFFIC. Passed as reported H. R. 3565, to authorize the charging of tolls for the passage or transit of Government traffic over the San Francisco-Oakland Bay Bridge (p. 6258).
16. SELECTIVE SERVICE. Began debate on S. 2057, to continue the Selective Training and Service Act until May 15, 1947 (pp. 6232-44).
17. LABOR DISPUTES. Sens. Barkley, Johnson, Stewart, White, and Austin were appointed conferees on H. R. 6578, to President's temporary labor bill (p. 6228). House conferees have not yet been appointed.
18. PRICE CONTROL. Sen. Reed, Kans., inserted a Kans. Grain, Feed, and Seed Dealers Association resolution urging that the CPA be abolished (p. 6228).
19. CONGRESSIONAL REORGANIZATION. Following is a summary of some of the provisions of S. 2177 (see Digest 103): Provides for open hearings on appropriation bills, all such bills to be fully and carefully considered by the full Appropriations Committees. Allows members time to study committee hearings and reports on appropriation bills before their floor consideration. Provides each appropriation subcommittee with a staff of 4 specialists with a view to making a more thorough scrutiny of departmental estimates and to serve both the majority and

FORT MORGAN, ALA.

The Clerk called the bill (H. R. 4433) to provide for the conveyance to the State of Alabama for use as a public park of the military reservation known as Fort Morgan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, subject to condition hereinafter specified, the Secretary of the Navy is authorized and directed to donate and convey to the State of Alabama all the right, title, and interest of the United States in and to the military reservation known as Fort Morgan, situated in Baldwin County, Ala., containing 408⁹²/₁₀₀ acres, more or less, and shown on map No. 6559-110, entitled "Fort Morgan, Alt., Reservation Map," dated June 1914, revised to February 7, 1936, on file in the office of the Quartermaster General, Washington, D. C. (A. G. 600.93 (2-18-36)). The conveyance executed by the Secretary of the Navy shall contain the express condition that if the State of Alabama shall at any time cease to use such property as a public park for public recreation, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States.

With the following committee amendment:

Page 2, line 10, insert "The said conveyance shall also contain the further express condition that at any time during any future national emergency the Navy or War Department may reoccupy the property, such occupancy to be without cost to the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES NAVAL ACADEMY

The Clerk called the bill (H. R. 5640) to reestablish the status of funds of the midshipmen's store, barber shop, cobbler shop, and tailor shop at the United States Naval Academy, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of Public Law 238, Seventy-ninth Congress, approved December 3, 1945; section 1 of Public Law 273, Seventy-ninth Congress, approved December 28, 1945; and section 1 of Public Law 274, Seventy-ninth Congress, approved December 28, 1945, are hereby repealed.

SEC. 2. All funds collected from the operations of the midshipmen's store, including the Naval Academy dairy, barber shop, cobbler shop, and tailor shop at the United States Naval Academy, shall continue to be deposited in the Treasury of the United States as heretofore, and shall be available for such expenditures as the superintendent of the United States Naval Academy shall deem necessary in the interest, health, comfort, and education of midshipmen and for all expenses of the operations of the midshipmen's store, including the Naval Academy dairy, barber shop, cobbler shop, and tailor shop: *Provided*, That the superintendent of the United States Naval Academy shall make an accounting to the Bureau of Supplies and Accounts quarterly for all receipts and expenditures of moneys collected and expended in accordance with this authority: *And provided further*, That nothing contained in the act approved December 3, 1945 (Public Law 238, 79th Cong.) shall apply to employees of the Naval Academy dairy.

SEC. 3. This act shall be effective from December 3, 1945.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLIC LAW 347, SEVENTY-NINTH CONGRESS

The Clerk called the joint resolution (H. J. Res. 347) to correct a technical error in the act approved April 18, 1946 (Public Law 347, 79th Cong., 2d sess.).

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That subsection (c) of section 6 of the act approved April 18, 1946 (Public Law 347, 79th Cong., 2d sess.), is hereby amended by striking out the figure "2" wherever it occurs therein after the word "section" and substituting in lieu thereof the figure "5", so that as thus amended the said subsection will read as follows:

"(c) Each officer above the grade of commissioned warrant officer whose commission is so revoked and who (1) at the time of his appointment under subsection (a) of section 5 held permanent status as a commissioned warrant officer may be reappointed by the President to such permanent status without examination, with the lineal position and other rights and benefits to which he would have been entitled had his service subsequent to reappointment under such subsection (a) been rendered in such permanent status, or (2) at the time of his appointment under subsection (a) of section 5 held permanent status as a warrant or petty officer, may be appointed by the President without examination to permanent commissioned warrant or warrant grade with the same lineal position and other rights and benefits which he would have had or normally would have attained in due course had he not been appointed pursuant to subsection (a) of section 5, or (3) at the time of his appointment under subsection (a) of section 5 held permanent status as a petty officer may be re-enlisted as a chief petty officer (permanent appointment) and shall be entitled to the same rights and benefits to which he would have been entitled or normally would have attained in due course had he not been appointed pursuant to subsection (a) or section 5."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MADDEN. Mr. Speaker, that concludes the call of the bills eligible for consideration today on the Consent Calendar.

VETERANS OF FOREIGN WARS CONVENTION AT BOSTON, MASS.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6463) to provide for making certain War Department articles and equipment available for use at the convention of Veterans of Foreign Wars to be held at Boston, Mass., in September 1946.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object is this resolution similar to the one passed last week with reference to the American Legion?

Mr. McCORMACK. It is an identical resolution.

Mr. KEAN. Mr. Speaker, reserving the right to object, I have no objection

to the bill, but I understand from the statement by the Speaker a considerable while ago that legislation which was on the Consent Calendar and not eligible for consideration would not be brought up.

The SPEAKER. The Chair made the statement that unless Members cleared with the committee of objectors, he would recognize Members to call up bills. The Chair assumes that the gentleman from Massachusetts has done that.

Mr. KEAN. No one has cleared with me.

Mr. McCORMACK. Mr. Speaker, I withdraw the request momentarily.

ADMINISTRATIVE EXPENSES IN GOVERNMENT DEPARTMENTS

Mr. MANASCO. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6533) to authorize certain administrative expenses in the Government service and for other purposes. I might say that I have spoken to the gentlemen from New York [Mr. COLE] about this, but I did not speak to the other gentlemen as I did not know of the announcement made by the Speaker until a moment ago.

Mr. KEAN. Mr. Speaker, reserving the right to object, this is a long complicated bill and I have not been able to read it. If the gentleman could defer this for a little while, I would like to have a chance to look over the bill.

Mr. MANASCO. Mr. Speaker, I withdraw the request.

EXTENSION OF REMARKS

Mr. ROBSION of Kentucky asked and was given permission to extend his remarks in the Record and include an address by General Bradley made at Arlington last Thursday, the 30th of May.

BEAR RIVER

Mr. BARRETT of Wyoming. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4701) granting the consent of Congress to the States of Utah, Idaho, and Wyoming to negotiate and enter into a compact for the division of the waters of the Bear River and its tributaries.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the States of Utah, Idaho, and Wyoming to negotiate and enter into a compact providing for an equitable division and apportionment among the said States of the waters of the Bear River upon condition that one suitable person who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make report to Congress of the proceedings and of any compact entered into: *Provided*, That any such compact shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been ratified by the legislature of each of said States and approved by the Congress of the United States.

SEC. 2. There is hereby authorized to be appropriated a sufficient sum to pay the salary and expenses of the representative of the

United States appointed hereunder: *Provided further*, That such representative, if otherwise employed by the United States, while so employed shall not receive additional salary in the appointment hereunder.

With the following committee amendment:

Page 1, line 8, after the word "person", insert "from the Department of the Interior."

The committee amendment was agreed to.

Mr. COLE of New York. Mr. Speaker, this is the bill about which I raised a question when it was called on the Consent Calendar. After consultation with and approval of the Members interested, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: On page 2, line 9, strike out section 2.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVENTION OF VETERANS OF FOREIGN WARS

Mr. McCORMACK. Mr. Speaker, having conferred with the objectors on both sides and being very pleasantly received, I renew my unanimous-consent request in relation to H. R. 6463, to provide for making certain War Department articles and equipment available for use at the convention of the Veterans of Foreign Wars to be held in Boston, Mass., in September 1946.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BROOKS. Mr. Speaker, reserving the right to object, this is a very good bill.

Mr. Speaker, this bill is in line with other bills passed before the last war permitting the use of Army tents and other equipment for national Veterans of Foreign Wars encampments. The equipment is returned to the Government after the encampment is held. It is badly needed equipment and serves a real purpose in providing for these great national conventions to which come hundreds of thousands of veterans of all of our foreign wars. The holding of such encampments helps to organize veteran thought and certainly helps to mold veteran opinion. They serve a most laudable patriotic purpose, and, of course, we should extend this small courtesy to a great organization which has existed over the years, serving America and the things for which she stands.

(Mr. BROOKS asked and was given permission to revise and extend his remarks.)

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to lend to the Veterans of Foreign Wars, for use at the convention of that organization which is to be held at Boston, Mass., in September 1946, such cots, blankets, pillowcases, sheets, vehicles, and other available articles and equipment, under the jurisdiction of the Department of War, as may be needed for the comfort and convenience of the members of

such organization attending such convention: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered at such time prior to the holding of the said convention, as may be agreed upon by the Secretary of War and the Veterans of Foreign Wars through its national convention committee: *Provided further*, That the Secretary of War before delivering said property shall take from the Veterans of Foreign Wars a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTER-AMERICAN TRADE EXPOSITION

Mr. LANHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 327, to permit articles imported from foreign countries for the purpose of exhibition at the Inter-American Trade Exposition, Fort Worth, Tex., to be admitted without payment of tariff, and for other purposes.

The Clerk read the resolution, as follows:

Be it enacted, etc., That all articles which shall be imported from foreign countries for the purpose of exhibition at the Inter-American Trade Exposition, an international exposition, to be held at Fort Worth, Tex., from October 6, to 12, 1946, inclusive, by the Texas Pan-American Association, a corporation, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within 3 months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within 3 months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibi-

tion at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the Texas Pan-American Association, a corporation, shall be deemed, for customs purposes only to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisal, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the Texas Pan-American Association, a corporation, to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930, as amended (U. S. C., 1940 edition, title 19, sec. 1524).

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the resolution?

Mr. LANHAM. Mr. Speaker, this is the customary resolution in cases of this character.

There is to be held in Fort Worth, Tex., in October, an inter-American trade exposition, restricted to the countries of the Western Hemisphere. The Central and South American countries and Mexico are participating in it, and from the standpoint of the good-neighbor policy it should prove most helpful in stimulating trade relationships in the Western Hemisphere.

The resolution simply provides that the exhibits that are sent in by Mexico and the Central and South American countries may be brought in without tariff charges. That is customary in cases of this character.

Mr. MARTIN of Massachusetts. And there are no sales to be made in this country?

Mr. LANHAM. They are to enter merely as exhibits. Any subsequent disposal of them must be under regulations prescribed by the Treasury Department, and any expense to which the Government may be put will be reimbursed. It is so provided in this resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN ADMINISTRATIVE EXPENSES IN THE GOVERNMENT SERVICE

Mr. MANASCO. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 633) to authorize certain administrative expenses in the Government service, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) under such regulations as the President may prescribe, any civilian officer or employee of the Government who, in the interest of the Government, is transferred from one official station to another, including transfer from one department to another, for permanent duty, shall, except as otherwise provided herein, when authorized, in the order directing the travel, by such subordinate official or officials of the department concerned as the head thereof may designate for the purpose, be allowed and paid from Government funds the expenses of travel of himself and the expenses of transportation of his immediate family (or a commutation thereof in accordance with the act of February 14, 1931) and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects (not to exceed 5,000 pounds if uncrated or 6,250 pounds if crated or the equivalent thereof when transportation charges are based on cubic measurement): *Provided*, That advances of funds may be made to the officer or employee in accordance with said regulations under the same safeguards as are required under the Subsistence Expense Act of 1926 (5 U. S. C. 828): *Provided further*, That the allowances herein authorized shall not be applicable to civilian employees of the War Department and their dependents when transferred under the provisions of section 3 of the act of June 5, 1942 (50 U. S. C. 763), nor to officers and employees of the Foreign Service, Department of State: *Provided further*, That no part of such expenses (including those of officers and employees of the Foreign Service, Department of State) shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee or at his request: *Provided further*, That in case of transfer from one department to another such expenses shall be payable from the funds of the department to which the officer or employee is transferred.

(b) In lieu of the payment of actual expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects, in the case of such transfers between points in continental United States, reimbursement shall be made to the officer or employee on a commuted basis (not to exceed the amount which would be allowable for the authorized weight allowance) at such rates per 100 pounds as may be fixed by zones in regulations prescribed by the President.

(c) Funds available for travel expenses of civilian officers and employees shall also be available for the expenses of the transportation of their immediate families, and funds available for the transportation of things shall also be available for the transportation of household goods and effects, as authorized by this act.

SEC. 2. The act of October 10, 1940 (5 U. S. C. 73c-1), relating to allowances for the transportation of household goods, section 5 of the act of March 4, 1923, as amended (19 U. S. C. 48), relating to traveling and subsistence expenses of customs officers and employees, the first sentence of sections 645 (a) of the Tariff Act of 1930 (19 U. S. C. 1645 (a)), relating to traveling and subsistence expenses of the families of such officers and employees, and other acts relating to allowances to civilian officers and employees in the executive branch of the Government (except those mentioned in the second proviso clause of section 1 (a) of this act) on transfer from one official station to another for permanent duty, are hereby repealed.

SEC. 3. The act of February 14, 1931 (5 U. S. C. 73a), as amended, is further amended to read as follows:

"Civilian officers or employees or others rendering service to the Government shall, under regulations prescribed by the President, and unless otherwise provided in the appropriation concerned or other law, and whenever such mode of transportation is authorized or approved as more advantageous to the Government, be paid in lieu of actual expenses of transportation not to exceed 2 cents per mile for the use of privately owned motorcycles or 5 cents per mile for the use of privately owned automobiles or airplanes when engaged in necessary travel on official trips from their designated posts of duty or places of service, or 2 cents per mile for the use of privately owned motorcycles or 4 cents per mile for the use of privately owned automobiles when used on official business wholly within the limits of their official stations or places of service. In addition to the mileage allowances provided for in this section, there may be allowed reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls."

SEC. 4. Until June 30, 1948, when authorized in an appropriation or other act, appropriations available for travel expenses shall be available for the payment, without regard to the rates authorized by the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), of per diem allowances in lieu of subsistence expenses to civilian officers and employees of departments while traveling on official business outside continental United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department concerned or by such subordinates as he may designate for the purpose, but shall in no case exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed.

SEC. 5. Persons in the Government service employed intermittently as consultants or experts and receiving compensation on a per diem when actually employed basis may be allowed travel expenses while away from their homes or regular places of business, including per diem in lieu of subsistence while at place of such employment, in accordance with the Standardized Government Travel Regulations, Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), and the act of February 14, 1931, as amended by this act, and persons serving without compensation or at \$1 per annum may be allowed, while away from their homes or regular places of business, transportation in accordance with said regulations and said act of February 14, 1931, as so amended, and not to exceed \$10 per diem in lieu of subsistence en route and at place of such service or employment unless a higher rate is specifically provided in an appropriation or other act.

SEC. 6. Section 10 of the act of March 3, 1933 (5 U. S. C. 73b), is hereby amended to read as follows:

"SEC. 10. Whenever by or under authority of law actual expenses for transportation may be allowed, such allowances shall not exceed the lowest first-class rate by the transportation facility used in such transportation unless it is certified, in accordance with regulations prescribed by the President, that lowest first-class accommodations are not available or that use of a compartment or such other accommodations as may be authorized or approved by the head of the agency concerned or such subordinates as he may designate, is required for purposes of security."

SEC. 7. Appropriations for the departments shall be available, in accordance with regulations prescribed by the President, for expenses of travel of new appointees, expenses of transportation of their immediate families and expenses of transportation of their house-

hold goods and personal effects from places of actual residence at time of appointment to places of employment outside continental United States, and for such expenses on return of employees from their posts of duty outside continental United States to the places of their actual residence at time of assignment to duty outside the United States: *Provided*, That such expenses shall not be allowed new appointees unless and until the person selected for appointment shall agree in writing to remain in the Government service for the 12 months following his appointment, unless separated for reasons beyond his control. In case of a violation of such agreement any moneys expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States. This section shall not apply to appropriations for the Foreign Service, State Department.

SEC. 8. In purchasing motor-propelled or animal-drawn vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, or any other article or item the exchange of which is authorized by law, the head of any department or his duly authorized representative may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor: *Provided*, That any transaction carried out under the authority of this section shall be evidenced in writing.

SEC. 9. (a) Section 3709 of the Revised Statutes of the United States is hereby amended to read as follows:

"Unless otherwise provided in the appropriation concerned or other law, purchases and contracts for supplies or services for the Government may be made or entered into only after advertising a sufficient time previously for proposals, except (1) when the amount involved in any one case does not exceed \$100, (2) when the public exigencies require the immediate delivery of the articles or performance of the service, (3) when only one source of supply is available and the Government purchasing or contracting officer shall so certify, or (4) when the services are to be performed by the contractor in person, under Government supervision, and paid for on a time basis. Except as authorized by section 29 of the Surplus Property Act of 1944 (50 U. S. C. App. 1638), or unless otherwise authorized by law, sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising, except when the reasonable value involved in any one case does not exceed \$100."

(b) Exemptions from section 3709, Revised Statutes, in other law in amounts of \$100 or less are hereby repealed.

SEC. 10. Whenever a department is authorized by law to hold hearings and to subpoena witnesses for appearance at said hearings, witnesses summoned to and attending such hearings shall be entitled to the same fees and mileage, or expenses in the case of Government officers and employees, as provided by law for witnesses attending in the United States courts.

SEC. 11. The first sentence of section 3648 of the Revised Statutes (31 U. S. C. 529) is hereby amended to read as follows:

"No advance of public money shall be made in any case unless authorized by the appropriation concerned or other law."

SEC. 12. The head of any department may delegate to subordinate officials (1) the power vested in him by other law to take final action on matters pertaining to the employment, direction, and general administration of personnel under his department; (2) the authority vested in him by section 3683 of the Revised Statutes (31 U. S. C. 675) to direct the purchase of articles from contin-

gent funds; and (3) the authority vested in him by section 3828, Revised Statutes (44 U. S. C. 324), to authorize the publication of advertisements, notices, or proposals.

SEC. 13. Appropriations available for the procurement of supplies and material or equipment shall be available for the purchase and maintenance of special clothing and equipment for the protection of personnel in the performance of their assigned tasks.

SEC. 14. The head of each department is authorized, under such rules and regulations as the President may prescribe, to pay cash awards to civilian officers and employees (or to their estates) who make meritorious suggestions which will result in improvement or economy in the operations of his department and which have been adopted for use: *Provided*, That no award shall be paid to any officer or employee for any suggestion which represents a part of the normal requirements of the duties of his position. With the exception of the War and Navy Departments, the amount of any one award shall not exceed \$1,000 and the total of cash awards paid during any fiscal year in any department shall not exceed \$25,000. Payments may be made from the appropriation for the activity primarily benefiting or may be distributed among appropriations for activities benefiting as the head of the department determines. A cash award shall be in addition to the regular compensation of the recipient and the acceptance of such cash award shall constitute an agreement that the use by the United States of the suggestion for which the award is made shall not form the basis of a further claim of any nature upon the United States by him, his heirs or assigns.

Effective July 1, 1946, all other acts or parts of acts in conflict with the provisions of this section are hereby repealed.

SEC. 15. The head of any department, when authorized in an appropriation or other act, may procure the temporary (not in excess of 1 year) or intermittent services of experts or consultants or organizations thereof, including stenographic reporting services, by contract, and in such cases such service shall be without regard to the civil-service and classification laws (but at rates not in excess of the per diem equivalent of the highest rate payable under the Classification Act, unless other rates are specifically provided in the appropriation or other law) and, except in the case of stenographic reporting by organizations, without regard to section 3709, Revised Statutes, as amended by this act.

SEC. 16. (a) Section 5 of the act of July 16, 1914 (5 U. S. C. 78), is amended to read as follows:

"SEC. 5. (a) Unless specifically authorized by the appropriation concerned or other law, no appropriation shall be expended to purchase or hire passenger motor vehicles for any branch of the Government other than those for the use of the President of the United States, the secretaries to the President, or the heads of the executive departments enumerated in 5 U. S. C. 1.

"(b) Excepting appropriations for the Military and Naval Establishment, no appropriation shall be available for the purchase, maintenance, or operation of any aircraft unless specific authority for the purchase, maintenance, or operation thereof has been or is provided in such appropriation.

"(c) Unless otherwise specifically provided, no appropriation available for any department shall be expended—

"(1) to purchase any passenger motor vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of the maximum price therefor, if any, established pursuant to law by a Government agency and in no event more than such

amount as may be specified in an appropriation or other act, which shall be in addition to the amount required for transportation;

"(2) for the maintenance, operation, and repair of any Government-owned passenger motor vehicle or aircraft not used exclusively for official purposes; and 'official purposes' shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department concerned. Any officer or employee of the Government who willfully uses or authorizes the use of any Government-owned passenger motor vehicle or aircraft, or of any passenger motor vehicle or aircraft leased by the Government, for other than official purposes or otherwise violates the provisions of this subsection shall be suspended from duty by the head of the department concerned, without compensation, for not less than 1 month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant. The limitations of this subsection (c) (2) shall not apply to any motor vehicles or aircraft for official use of the President, the heads of the executive departments enumerated in 5 U. S. C. 1, ambassadors, ministers, *chargés d'affaires*, and other principal diplomatic and consular officials.

"(d) In the budgets for the fiscal year 1948 and subsequent fiscal years there shall be submitted in detail estimates for such necessary appropriations as are intended to be used for purchase or hire of passenger motor vehicles or for purchase, maintenance, or operation of aircraft, specifying the sums required, the public purposes for which said conveyances are intended, the number of currently owned conveyances to be continued in use, and the officials or employees by whom all of such conveyances are to be used.

"(e) The acquisition of aircraft or passenger motor vehicles by any agency by transfer from another department of the Government shall be considered as a purchase within the meaning hereof."

(b) The second paragraph of section 3 of the act of March 18, 1904 (33 Stat. 142; 5 U. S. C. 77), is hereby repealed.

Section 4 of the act of February 3, 1905 (33 Stat. 687; 5 U. S. C. 77), is hereby amended to read as follows:

"All motor vehicles acquired and used for official purposes of the departmental service in the District of Columbia shall have conspicuously imprinted thereon at all times the full name of the executive department or other branch of the public service to which the same belong and in the service of which the same are used."

SEC. 17. (a) The following statutes or parts of statutes are hereby repealed:

Section 1779 of the Revised Statutes (5 U. S. C. 102) reading as follows:

"No executive officer, other than the heads of departments, shall apply more than \$30, annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office";

The act of January 21, 1881 (44 U. S. C. 323);

Section 3 of the Act of March 15, 1898 (31 U. S. C. 678).

(b) That portion of the act of July 31, 1876 (44 U. S. C. 321; 19 Stat. 105), reading as follows: "and in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia" is

hereby amended by adding at the end thereof "or in the adjoining counties of Maryland or Virginia."

(c) That portion of the act of June 23, 1906 (3 U. S. C. 43) reading as follows: "not exceeding \$25,000 per annum" is hereby amended to read, "not exceeding \$40,000 per annum".

SEC. 18. The word "department" as used in this act shall be construed to include independent establishments, other agencies, wholly owned Government corporations (the transactions of which corporations shall be subject to the authorizations and limitations of this act, except that sec. 9 shall apply to their administrative transactions only), and the government of the District of Columbia. The words "continental United States" as used herein shall be construed to mean the 48 States and the District of Columbia. The word "government" shall be construed to include the government of the District of Columbia. The word "appropriation" shall be construed as including funds made available by legislation under section 104 of the Government Corporation Control Act, approved December 6, 1945.

SEC. 19. Sections 1, 3, 4, 5, 7, 14, and 15 of this act shall not apply to persons whose pay and allowances are established by the Pay Readjustment Act of 1942.

SEC. 20. Sections 1 and 2 of this act shall become effective on the first day of the third calendar month following the enactment hereof.

With the following committee amendments:

On page 11, line 25, after the word "Establishment" add the letter "s", making it read "Establishments."

On page 13, line 7, after the word "this", strike out "subsection" and insert "paragraph."

Page 13, line 12, after the word "this", strike out "subsection (c) (2)" and insert the word "paragraph."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL SERVICE LIFE INSURANCE ACT OF 1940

Mr. RANKIN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6371) to amend certain provisions of the National Service Life Insurance Act of 1940, as amended, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That section 601 (f) of the National Service Life Insurance Act of 1940 is hereby amended effective as of October 8, 1940, to read as follows:

"(f) The terms 'parent', 'father', and 'mother' include a father, mother, father through adoption, mother through adoption, persons who have stood in loco parentis to a member of the military or naval forces at any time prior to entry into active service for a period of not less than 1 year, and a step-parent, if designated as beneficiary by the insured: *Provided*, That the provisions of this section shall not be construed as requiring the discontinuance of any award heretofore made for any period prior to the 1st day of the 3d calendar month following receipt of claim by or on behalf of a person brought within the permitted class of beneficiaries by this enactment, or as requiring duplicate payments of benefits in any case."

SEC. 2. Section 602 (c) of the National Service Life Insurance Act of 1940 is hereby amended effective as of October 8, 1940, to read as follows:

79TH CONGRESS
2^D SESSION

H. R. 6533

IN THE SENATE OF THE UNITED STATES

JUNE 4 (legislative day, MARCH 5), 1946

Read twice and referred to the Committee on Expenditures in the Executive
Departments

AN ACT

To authorize certain administrative expenses in the Government
service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) under such regulations as the President may
4 prescribe, any civilian officer or employee of the Govern-
5 ment who, in the interest of the Government, is transferred
6 from one official station to another, including transfer from
7 one department to another, for permanent duty, shall, except
8 as otherwise provided herein, when authorized, in the order
9 directing the travel, by such subordinate official or officials
10 of the department concerned as the head thereof may
11 designate for the purpose; be allowed and paid from Gov-

ernment funds the expenses of travel of himself and the expenses of transportation of his immediate family (or a commutation thereof in accordance with the Act of February 14, 1931) and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects (not to exceed five thousand pounds if uncrated or six thousand two hundred and fifty pounds if crated or the equivalent thereof when transportation charges are based on cubic measurement) :
Provided, That advances of funds may be made to the officer or employee in accordance with said regulations under the same safeguards as are required under the Subsistence Expense Act of 1926 (5 U. S. C. 828) : *Provided further*, That the allowances herein authorized shall not be applicable to civilian employees of the War Department and their dependents when transferred under the provisions of section 3 of the Act of June 5, 1942 (50 U. S. C. 763), nor to officers and employees of the Foreign Service, Department of State :
Provided further, That no part of such expenses (including those of officers and employees of the Foreign Service, Department of State) shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee or at his request : *Provided further*, That in case of transfer from one department to another such expenses shall be payable from

1 the funds of the department to which the officer or employee
2 is transferred.

3 (b) In lieu of the payment of actual expenses of
4 transportation, packing, crating, temporary storage, dray-
5 age, and unpacking of household goods and personal effects,
6 in the case of such transfers between points in continental
7 United States, reimbursement shall be made to the officer
8 or employee on a commuted basis (not to exceed the amount
9 which would be allowable for the authorized weight allow-
10 ance) at such rates per one hundred pounds as may be fixed
11 by zones in regulations prescribed by the President.

12 (c) Funds available for travel expenses of civilian
13 officers and employees shall also be available for the ex-
14 penses of the transportation of their immediate families, and
15 funds available for the transportation of things shall also be
16 available for the transportation of household goods and
17 effects, as authorized by this Act.

18 SEC. 2. The Act of October 10, 1940 (5 U. S. C.
19 73c-1), relating to allowances for the transportation of
20 household goods, section 5 of the Act of March 4, 1923,
21 as amended (19 U. S. C. 48), relating to traveling and
22 subsistence expenses of customs officers and employees,
23 the first sentence of section 645 (a) of the Tariff Act of
24 1930 (19 U. S. C. 1645 (a)), relating to traveling and
25 subsistence expenses of the families of such officers and

1 employees, and other Acts relating to allowances to civilian
2 officers and employees in the executive branch of the Govern-
3 ment (except those mentioned in the second proviso clause
4 of section 1 (a) of this Act) on transfer from one official
5 station to another for permanent duty, are hereby repealed.

6 SEC. 3. The Act of February 14, 1931 (5 U. S. C.
7 73a), as amended, is further amended to read as follows:

8 "Civilian officers or employees or others rendering serv-
9 ice to the Government shall, under regulations prescribed
10 by the President, and unless otherwise provided in the
11 appropriation concerned or other law, and whenever such
12 mode of transportation is authorized or approved as more
13 advantageous to the Government, be paid in lieu of actual
14 expenses of transportation not to exceed 2 cents per mile for
15 the use of privately owned motorcycles or 5 cents per mile for
16 the use of privately owned automobiles or airplanes when en-
17 gaged in necessary travel on official trips from their desig-
18 nated posts of duty or places of service, or 2 cents per mile
19 for the use of privately owned motorcycles or 4 cents per
20 mile for the use of privately owned automobiles when used
21 on official business wholly within the limits of their official
22 stations or places of service. In addition to the mileage
23 allowances provided for in this section, there may be allowed
24 reimbursement for the actual cost of ferry fares and bridge,
25 road, and tunnel tolls."

1 SEC. 4. Until June 30, 1948, when authorized in an
2 appropriation or other Act, appropriations available for
3 travel expenses shall be available for the payment, with-
4 out regard to the rates authorized by the Subsistence Ex-
5 pense Act of 1926, as amended (5 U. S. C. 821-833),
6 of per diem allowances in lieu of subsistence expenses to
7 civilian officers and employees of departments while travel-
8 ing on official business outside continental United States
9 and away from their designated posts of duty: *Provided*,
10 That the amount of such allowances shall be determined
11 by the head of the department concerned or by such sub-
12 ordinates as he may designate for the purpose, but shall
13 in no case exceed the maximum established by regula-
14 tions prescribed by the President for the locality in which
15 the travel is performed.

16 SEC. 5. Persons in the Government service employed
17 intermittently as consultants or experts and receiving compen-
18 sation on a per diem when actually employed basis may
19 be allowed travel expenses while away from their homes
20 or regular places of business, including per diem in lieu
21 of subsistence while at place of such employment, in ac-
22 cordance with the Standardized Government Travel Regula-
23 tions, Subsistence Expense Act of 1926, as amended (5
24 U. S. C. 821-833), and the Act of February 14, 1931, as
25 amended by this Act, and persons serving without compen-

1 sation or at \$1 per annum may be allowed, while away
2 from their homes or regular places of business, transporta-
3 tion in accordance with said regulations and said Act of
4 February 14, 1931, as so amended, and not to exceed
5 \$10 per diem in lieu of subsistence en route and at place
6 of such service or employment unless a higher rate is specifi-
7 cally provided in an appropriation or other Act.

8 SEC. 6. Section 10 of the Act of March 3, 1933 (5
9 U. S. C. 73b), is hereby amended to read as follows:

10 "SEC. 10. Whenever by or under authority of law
11 actual expenses for transportation may be allowed, such al-
12 lowances shall not exceed the lowest first-class rate by the
13 transportation facility used in such transportation unless it
14 is certified, in accordance with regulations prescribed by
15 the President, that lowest first-class accommodations are
16 not available or that use of a compartment or such other
17 accommodations as may be authorized or approved by the
18 head of the agency concerned or such subordinates as he
19 may designate, is required for purposes of security."

20 SEC. 7. Appropriations for the departments shall be
21 available, in accordance with regulations prescribed by the
22 President, for expenses of travel of new appointees, ex-
23 penses of transportation of their immediate families and
24 expenses of transportation of their household goods and per-
25 sonal effects from places of actual residence at time of

1 appointment to places of employment outside continental
2 United States, and for such expenses on return of employees
3 from their posts of duty outside continental United States to
4 the places of their actual residence at time of assignment to
5 duty outside the United States: *Provided*, That such ex-
6 penses shall not be allowed new appointees unless and until
7 the person selected for appointment shall agree in writing
8 to remain in the Government service for the twelve months
9 following his appointment, unless separated for reasons
10 beyond his control. In case of a violation of such agreement
11 any moneys expended by the United States on account of
12 such travel and transportation shall be considered as a debt
13 due by the individual concerned to the United States. This
14 section shall not apply to appropriations for the Foreign
15 Service, State Department.

16 SEC. 8. In purchasing motor-propelled or animal-drawn
17 vehicles or tractors, or road, agricultural, manufacturing, or
18 laboratory equipment, or boats, or parts, accessories, tires, or
19 equipment thereof, or any other article or item the exchange
20 of which is authorized by law, the head of any department or
21 his duly authorized representative may exchange or sell
22 similar items and apply the exchange allowances or proceeds
23 of sales in such cases in whole or in part payment therefor:
24 *Provided*, That any transaction carried out under the authority
25 of this section shall be evidenced in writing.

1 SEC. 9. (a) Section 3709 of the Revised Statutes of the
2 United States is hereby amended to read as follows:

3 “Unless otherwise provided in the appropriation con-
4 cerned or other law, purchases and contracts for supplies
5 or services for the Government may be made or entered
6 into only after advertising a sufficient time previously for
7 proposals, except (1) when the amount involved in any
8 one case does not exceed \$100, (2) when the public
9 exigencies require the immediate delivery of the articles
10 or performance of the service, (3) when only one source
11 of supply is available and the Government purchasing or
12 contracting officer shall so certify, or (4) when the services
13 are to be performed by the contractor in person, under Gov-
14 ernment supervision, and paid for on a time basis. Except
15 as authorized by section 29 of the Surplus Property Act of
16 1944 (50 U. S. C. App. 1638), or unless otherwise author-
17 ized by law, sales and contracts of sale by the Government
18 shall be governed by the requirements of this section for
19 advertising, except when the reasonable value involved in
20 any one case does not exceed \$100.”

21 (b) Exemptions from section 3709, Revised Statutes,
22 in other law in amounts of \$100 or less are hereby repealed.

23 SEC. 10. Whenever a department is authorized by law
24 to hold hearings and to subpoena witnesses for appearance

1 at said hearings, witnesses summoned to and attending such
2 hearings shall be entitled to the same fees and mileage, or
3 expenses in the case of Government officers and employees;
4 as provided by law for witnesses attending in the United
5 States courts.

6 SEC. 11. The first sentence of section 3648 of the
7 Revised Statutes (31 U. S. C. 529) is hereby amended
8 to read as follows:

9 “No advance of public money shall be made in any case
10 unless authorized by the appropriation concerned or other
11 law.”

12 SEC. 12. The head of any department may delegate
13 to subordinate officials (1) the power vested in him by
14 other law to take final action on matters pertaining to the
15 employment, direction, and general administration of per-
16 sonnel under his department; (2) the authority vested in
17 him by section 3683 of the Revised Statutes (31 U. S. C.
18 675) to direct the purchase of articles from contingent funds;
19 and (3) the authority vested in him by section 3828, Re-
20 vised Statutes (44 U. S. C. 324), to authorize the publica-
21 tion of advertisements, notices, or proposals.

22 SEC. 13. Appropriations available for the procurement
23 of supplies and material or equipment shall be available for
24 the purchase and maintenance of special clothing and equip-

1 ment for the protection of personnel in the performance of
2 their assigned tasks.

3 SEC. 14. The head of each department is authorized,
4 under such rules and regulations as the President may pre-
5 scribe, to pay cash awards to civilian officers and employees
6 (or to their estates) who make meritorious suggestions which
7 will result in improvement or economy in the operations of
8 his department and which have been adopted for use: *Pro-*
9 *vided*, That no award shall be paid to any officer or employee
10 for any suggestion which represents a part of the normal
11 requirements of the duties of his position. With the excep-
12 tion of the War and Navy Departments, the amount of any
13 one award shall not exceed \$1,000 and the total of cash
14 awards paid during any fiscal year in any department shall
15 not exceed \$25,000. Payments may be made from the ap-
16 propriation for the activity primarily benefiting or may be
17 distributed among appropriations for activities benefiting as
18 the head of the department determines. A cash award shall
19 be in addition to the regular compensation of the recipient
20 and the acceptance of such cash award shall constitute an
21 agreement that the use by the United States of the suggestion
22 for which the award is made shall not form the basis of a
23 further claim of any nature upon the United States by him,
24 his heirs or assigns.

25 Effective July 1, 1946, all other Acts or parts of Acts

1 in conflict with the provisions of this section are hereby
2 repealed.

3 SEC. 15. The head of any department, when authorized
4 in an appropriation or other Act, may procure the temporary
5 (not in excess of one year) or intermittent services of experts
6 or consultants or organizations thereof, including stenographic
7 reporting services, by contract, and in such cases
8 such service shall be without regard to the civil-service and
9 classification laws (but at rates not in excess of the per diem
10 equivalent of the highest rate payable under the Classification
11 Act, unless other rates are specifically provided in the appropriation
12 or other law) and, except in the case of stenographic
13 reporting services by organizations, without regard to section
14 3709, Revised Statutes, as amended by this Act.

15 SEC. 16. (a) Section 5 of the Act of July 16, 1914
16 (5 U. S. C. 78), is amended to read as follows:

17 "SEC. 5. (a) Unless specifically authorized by the appropriation
18 concerned or other law, no appropriation shall
19 be expended to purchase or hire passenger motor vehicles
20 for any branch of the Government other than those for the
21 use of the President of the United States, the secretaries to
22 the President, or the heads of the executive departments
23 enumerated in 5 U. S. C. 1.

24 "(b) Excepting appropriations for the Military and
25 Naval Establishments, no appropriation shall be available for

1 the purchase, maintenance, or operation of any aircraft
2 unless specific authority for the purchase, maintenance, or
3 operation thereof has been or is provided in such appro-
4 priation.

5 “(c) Unless otherwise specifically provided, no appro-
6 priation available for any department shall be expended—

7 “(1) to purchase any passenger motor vehicle (ex-
8 clusive of busses, ambulances, and station wagons), at
9 a cost, completely equipped for operation, and includ-
10 ing the value of any vehicle exchanged, in excess of
11 the maximum price therefor, if any, established pur-
12 suant to law by a Government agency and in no event
13 more than such amount as may be specified in an
14 appropriation or other Act, which shall be in addition
15 to the amount required for transportation;

16 “(2) for the maintenance, operation, and repair
17 of any Government-owned passenger motor vehicle or
18 aircraft not used exclusively for official purposes; and
19 ‘official purposes’ shall not include the transportation
20 of officers and employees between their domiciles and
21 places of employment, except in cases of medical officers
22 on out-patient medical service and except in cases of
23 officers and employees engaged in field work the char-
24 acter of whose duties makes such transportation neces-
25 sary and then only as to such latter cases when the

1 same is approved by the head of the department con-
2 cerned. Any officer or employee of the Government
3 who willfully uses or authorizes the use of any Govern-
4 ment-owned passenger motor vehicle or aircraft, or of
5 any passenger motor vehicle or aircraft leased by the
6 Government, for other than official purposes or other-
7 wise violates the provisions of this paragraph shall be
8 suspended from duty by the head of the department con-
9 cerned, without compensation, for not less than one
10 month, and shall be suspended for a longer period or
11 summarily removed from office if circumstances war-
12 rant. The limitations of this paragraph shall not
13 apply to any motor vehicles or aircraft for official use
14 of the President, the heads of the executive departments
15 enumerated in 5 U. S. C. 1, ambassadors, ministers,
16 chargés d'affaires, and other principal diplomatic and
17 consular officials.

18 “(d) In the budgets for the fiscal year 1948 and sub-
19 sequent fiscal years there shall be submitted in detail esti-
20 mates for such necessary appropriations as are intended to
21 be used for purchase or hire of passenger motor vehicles or
22 for purchase, maintenance, or operation of aircraft, specify-
23 ing the sums required, the public purposes for which said
24 conveyances are intended, the number of currently owned :

1 conveyances to be continued in use, and the officials or em-
2 ployees by whom all of such conveyances are to be used.

3 “(e) The acquisition of aircraft or passenger motor
4 vehicles by any agency by transfer from another department
5 of the Government shall be considered as a purchase within
6 the meaning hereof.”

7 (b) The second paragraph of section 3 of the Act of
8 March 18, 1904 (33 Stat. 142; 5 U. S. C. 77), is hereby
9 repealed.

10 Section 4 of the Act of February 3, 1905 (33 Stat.
11 687; 5 U. S. C. 77), is hereby amended to read as follows:

12 “All motor vehicles acquired and used for official pur-
13 poses of the departmental service in the District of Columbia
14 shall have conspicuously imprinted thereon at all times the
15 full name of the executive department or other branch of the
16 public service to which the same belong and in the service
17 of which the same are used.”

18 SEC. 17. (a) The following statutes or parts of statutes
19 are hereby repealed:

20 Section 1779 of the Revised Statutes (5 U. S. C. 102)
21 reading as follows:

22 “No executive officer, other than the heads of depart-
23 ments, shall apply more than \$30, annually, out of the
24 contingent fund under his control, to pay for newspapers,

1 pamphlets, periodicals, or other books or prints not necessary
2 for the business of his office.”;

3 The Act of January 21, 1881 (44 U. S. C. 323) ;

4 Section 3 of the Act of March 15, 1898 (31 U. S. C.
5 678) .

6 (b) That portion of the Act of July 31, 1876, (44
7 U. S. C. 321; 19 Stat. 105), reading as follows: “and in
8 no case of advertisement for contracts for the public service
9 shall the same be published in any newspaper published and
10 printed in the District of Columbia unless the supplies or
11 labor covered by such advertisement are to be furnished or
12 performed in said District of Columbia” is hereby amended
13 by adding at the end thereof “or in the adjoining counties
14 of Maryland or Virginia”.

15 (c) That portion of the Act of June 23, 1906 (3
16 U. S. C. 43) reading as follows: “not exceeding \$25,000
17 per annum” is hereby amended to read, “not exceeding
18 \$40,000 per annum”.

19 SEC. 18. The word “department” as used in this Act
20 shall be construed to include independent establishments,
21 other agencies, wholly owned Government corporations (the
22 transactions of which corporations shall be subject to the
23 authorizations and limitations of this Act, except that section
24 9 shall apply to their administrative transactions only), and

1 the government of the District of Columbia. The words
2 “continental United States” as used herein shall be construed
3 to mean the forty-eight States and the District of Columbia.
4 The word “Government” shall be construed to include the
5 government of the District of Columbia. The word “appro-
6 priation” shall be construed as including funds made available
7 by legislation under section 104 of the Government Corpora-
8 tion Control Act, approved December 6, 1945.

9 SEC. 19. Sections 1, 3, 4, 5, 7, 14, and 15 of this
10 Act shall not apply to persons whose pay and allowances
11 are established by the Pay Readjustment Act of 1942.

12 SEC. 20. Sections 1 and 2 of this Act shall become
13 effective on the first day of the third calendar month following
14 the enactment hereof.

Passed the House of Representatives June 3, 1946.

Attest:

SOUTH TRIMBLE,

Clerk.

By H. NEWLIN MEGILL.

70TH CONGRESS
2^D Session

H. R. 6533

AN ACT

To authorize certain administrative expenses in the Government service, and for other purposes.

JUNE 4 (legislative day, MARCH 5), 1946
Read twice and referred to the Committee on
Expenditures in the Executive Departments .



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 79th CONGRESS, SECOND SESSION

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No. 129

Senate

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, the might of them that put their trust in Thee, amid all the subtle dangers that beset us, save us from the fatal folly of attempting to rely upon our own strength. In a world so uncertain about many things, we are sure of no light but Thine, no refuge but in Thee.

The din of words assails our ears from an agitated world. Grant us an inner calm undisturbed by any outer commotion. Give us courage to seek the truth honestly and reverence to follow humbly the kindly light that leads us on.

Thou hast created us to be Thy temples. Grant that the holy places of our inner lives may harbor nothing unworthy of our high calling in Thee:

"The ruins of our soul repair,
And make our heart a house of prayer."

In the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., July 2, 1946.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. BURNET R. MAYBANK, a Senator from the State of South Carolina, to perform the duties of the Chair during my absence.

KENNETH MCKELLAR,
President pro tempore.

Mr. MAYBANK thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 1, 1946, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF NATIONAL ACADEMY OF SCIENCES

A letter from the President, National Academy of Sciences, transmitting, pursuant to law, the annual report of the Academy for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on the Library.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS

Petitions, etc., were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution of the House of Representatives of the Legislature of the State of Missouri; to the Committee on Commerce:

"House Resolution 376

"Whereas a preliminary examination of the upper Osage River Basin was made prior to World War II by the United States Department of Agriculture for the purpose of establishing a definite and comprehensive plan of water-flow retardation and soil-erosion prevention; and

"Whereas the recommendation in the report was that a detailed survey of the upper Osage River Basin was justified but because of the war effort the Department of Agriculture suspended its flood-control activities and the survey was not completed; and

"Whereas it is indicated that the production of food and clothing will be a vital issue in America and abroad for a number of years and a goodly portion of our surplus manpower can best be used in the development of our agriculture resources; and

"Whereas such a plan of development will greatly enhance the agricultural, wildlife, and recreational advantages of the Osage River Basin and will also lend to the preservation of health and give additional flood relief to the lower Missouri and Mississippi Rivers: Be it therefore

"Resolved by the Missouri House of Representatives, That the United States Department of Agriculture resume its activities pertaining to the development of the Osage

River Basin. We urge the appropriation of funds for the completion of the detailed land and water management study recommended by the Department of Agriculture. We also urge that the study be expanded to include all of the Osage (Marals Des Cygnes) River Basin in Missouri and Kansas. In view of the adverse effects of the proposed Osceola Reservoir on the economy of the Osage River Basin and of the State of Missouri, as shown by reports of the Missouri State Department of Resources and Development and other State agencies, we urge Congress to abandon this project in the flood-control bill now being prepared by the Committee on Flood Control; be it further

"Resolved, That copies of this resolution be sent to the United States Department of Agriculture, the chairman and each member of the Agriculture, Flood Control, and Appropriations Committees of the House and Senate of the Congress of the United States."

A resolution adopted by the Peace and Service Committee of Friends' General Conference at Cape May, N. J., favoring an appropriation of \$465,000,000 for UNRRA; to the Committee on Appropriations.

A resolution and a report adopted by the Eighth Conference of Teachers of International Law and Related Subjects at Washington, D. C., relating to the need for improved policies of publishing and distributing materials in the field of international affairs; to the Committee on Foreign Relations.

RESOLUTIONS OF NATIONAL SOCIETY, SONS OF THE AMERICAN REVOLUTION

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred resolutions adopted at a meeting of the National Society, Sons of the American Revolution, held at Trenton, N. J., May 15-16, 1946, relating to matters affecting the welfare of the Nation.

The ACTING PRESIDENT pro tempore. Without objection, the resolutions will be appropriately referred and printed in the RECORD.

To the Committee on Military Affairs:

"MILITARY TRAINING

"Whereas the maintenance of peace can best be preserved by being prepared; and

"Whereas the protection of our country and its safety requires an adequate, well-trained, and disciplined Army, Navy, and Air Force: Now, therefore, be it

"Resolved, That the Fifty-sixth Congress of the Sons of the American Revolution heartily endorses universal military training of such character as shall least interfere with the education and home training of youth; and be it further

"Resolved, That a copy hereof be sent to each member of the Committees on Military Affairs of the Senate and House of Representatives."

To the Committee on the Judiciary:

"ENDORING BILL H. R. 5904

"Resolved, That this Congress endorse and urge the passage of H. R. 5904 introduced in the present Congress by Representative GEARHART, of California, and entitled "An act to prevent the desecration and mutilation of the flag of the United States"; and be it further

"Resolved, That a copy of this resolution be sent to Representative BERTRAND W. GEARHART and to each of the Members of the Senate and of the House."

"Resolution urging careful scrutiny by United States Senate of qualifications of all judicial appointees

"Whereas the safeguards of American freedom, life, liberty, and pursuit of happiness, were entrusted to the judiciary of our country by the framers of the Constitution; and

"Whereas the Sons of the American Revolution stands squarely upon the basic principles of our forefathers as expressed in the Constitution of the United States, whereby a separate and independent judiciary should act as a check and balance upon the administrative and legislative branches of our Government; and

"Whereas a competent and independent judiciary depends solely upon the judicial temperament, character, integrity, and absolute impartiality of the men appointed to the bench; and

"Whereas the basic principles of careful thought and discretion in the selection of judges has been displaced in many instances and in hasty and ill-considered confirmation by the Senate of the United States, whereby political considerations have been allowed to take precedence over real judicial qualifications: Be it

"Resolved by the National Society of the Sons of the American Revolution in Fifty-sixth Annual Congress, assembled at Trenton, N. J., this 16th day of May A. D. 1946, That this society urges the Members of the United States Senate to carefully scrutinize every appointment to the Federal Judiciary, to insist upon judicial qualification, training, and experience as the first requirement of every appointee whose confirmation is sought, that no man may be confirmed unless his record discloses that the appointee believes in, practices, and will exert his capabilities to the utmost to uphold and defend the impartial and independent judiciary as provided by the Constitution."

To the Committee on Foreign Relations:

"Resolution expressing gratitude to those who served Nation in World War; continuing to maintain relations of friendship with all peoples; approving policy of providing food for starving peoples; demanding that Government officials secure national defense and a just peace with all nations

"Whereas our Nation has recently emerged from the most frightful and disastrous war that ever afflicted the world, in the course of which instrumentalities and techniques of destruction were developed so dreadful in their immediate effects and so much more dreadful in their potentialities of future horror, that the mind of man shrinks from contemplating the physical and moral ruin of another war, and nevertheless even the pattern of peace has not yet appeared out of the chaos which has ensued from the conflict so lately closed; and

"Whereas it is necessary that all sane and patriotic people shall give their most earnest thought and effort to the end that the leaders of our Nation may be directed by enlightened public opinion to solutions of the grave problems which the late war has created, both in the present and for the future: Now, therefore, be it

"Resolved by the Fifty-sixth Annual Congress of the National Society of the Sons of the American Revolution:

"That we express our utmost gratitude to the men and women of America who so bravely and patriotically served our Nation and the world in the recent conflict, to destroy totalitarian tyranny, to restore freedom to other peoples, and to maintain our own liberties, all at frightful cost of life, suffering and disability for many, and the loss of educational opportunity and precious years of youth for millions more, and we urge that our Government spare no effort or necessary cost to do all that may be done to compensate or aid the surviving veterans of the war, to help them to recover so far as possible the opportunities for education and useful living which they have sacrificed, and to care for the disabled, and to provide for their dependents and those of the men who made the supreme sacrifice;

"That we urge our Government, while making plain our purpose to maintain relations of friendship with all peoples and to refrain from any attempt to interfere with the forms of government, cultures or legitimate aspirations of any other nations, to adopt and pursue a firm policy of speedily bringing about a peace of justice, but without vindictiveness or revenge, to the end that the world may be convinced by our example that our ways of free civilization and Government are better than aggressive force and despotism and that friendly cooperation and understanding are the necessary conditions of real and lasting peace and security for any people;

"That we heartily approve the policy of providing food for the starving and desperate victims of the war, wherever and whoever they may be, and whether lately allies or foes, to the end that by another and greater demonstration of America's historic generosity to suffering peoples we may not only alleviate distress, stay the spread of disease and starvation and prevent outbreaks of desperate violence, but also prove once more that liberty and mercy go hand in hand, that from free men the world has nothing to fear, and that in freedom rather than regimented slavery will be found the best security and happiness; and

"That we demand of our Government the adoption of all necessary measures to secure our Nation against attack, and to make possible our effective participation in the establishment and maintenance of just peace, while sincerely joining, in association with other nations, in every effort that may lead to the establishment of a reign of law in international relations, with free opportunity to every people to develop according to its own genius and native culture, but so far maintaining our own independent strength that we may neither be subject to hostile interference with our own affairs, or our system of free constitutional democracy, nor be coerced into either participation or acquiescence in any foreign policy or enterprise contrary to the national conscience of American free-men."

To the Committee on Education and Labor:

"Resolution relating to public service employees' refusal to work and requesting public officials to call upon the full force and authority of Federal and State police power to protect the rights of the people

"Whereas the fundamental functions of American Government depend upon the functioning of each and every branch and department without coercion, duress, intimidation, or threat of violence, from any source whatever; and

"Whereas the refusal of any governmental employee or any employee of any utility or organization responsible for public health, protection, education, or welfare to perform the duties for which he is employed and paid is basically a denial of the principles on which our Government is founded; and

"Whereas political considerations of politi-

cally ambitious men have been permitted to submerge and disregard the interests of the people of this Nation, and perhaps the very future peace of the world, in order to avoid facing an issue with an organized minority of the exploiters of hundreds of thousands of good Americans through fear of personal violence and injury to property; and

"Whereas in our considered judgment such a refusal to work is an attempt at the same time to prevent or discourage the performance of such essential functions of governmental service by others, un-American, and is anarchistic: Now, therefore, be it hereby

"Resolved by the National Society of the Sons of the American Revolution in the fifty-sixth annual congress, assembled at Trenton, N. J., this 16th day of May A. D. 1946, That this society call upon the executive, legislative, and judicial branches of the Government of the United States and of each State and municipality in the Nation to treat every such refusal to work, accompanied by interference with the carrying on of public service, as an overt act against the peace, dignity, and honor of the sovereign people and to immediately call upon the full force and authority of the police power to protect the personal and property rights of the people, and to punish all who are guilty of fomenting, perpetuating, or encouraging such refusal to work by threat, coercion, intimidation, or duress, to the detriment of public health, protection, education, or welfare, and to insure to the American citizen the right to work when he wishes without paying tribute to any other person or organization whatsoever."

Ordered to lie on the table:

"Resolution endorsing McCarran-Sumner bill

"Be it resolved by the National Society, Sons of the American Revolution duly assembled at Trenton, N. J., That Senate bill No. 7, commonly known as the McCarran-Sumner bill, governing Federal administration agencies, therefore approved by the Judiciary Committees of both the Senate and the House of Representatives, passed by the Senate and now pending in the House of Representatives, be approved as a measure productive of good government, and that a copy of this resolution be sent to each Member of the House of Representatives."

COMMITTEE SERVICE

On motion of Mr. BARKLEY, and by unanimous consent, it was

Ordered, That the Senator from Louisiana [Mr. OVERTON] be excused from further service as chairman of the Committee on Manufactures and appointed as chairman of the Committee on Irrigation and Reclamation, to fill the vacancy caused by the death of the Senator from Alabama [Mr. Bankhead];

That the Senator from Virginia [Mr. BURCH] be assigned to service on the Committee on Banking and Currency and the Committee on Irrigation and Reclamation; and

That the Senator from Alabama [Mr. SWIFT] be assigned to service on the Committee on Agriculture and Forestry and the Committee on the District of Columbia.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

S. 2375. A bill to change the name of the Chemical Warfare Service to the Chemical Corps; without amendment (Rept. No. 1635).

By Mr. HILL, from the Committee on Expenditures in the Executive Departments:

H. R. 6533. A bill to authorize certain administrative expenses in the Government service, and for other purposes; with amendments (Rept. No. 1636).

By Mr. MCMAHON, from the Committee on Claims:

H. R. 844. A bill for the relief of John P. Hayes, postmaster, and the estate of Edward

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section
(For Department staff only)

Issued July 3, 1946
For actions of July 2, 1946
79th-2nd, No. 129

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HIGHLIGHTS: House passed bill to authorize appropriations to continue farm-labor supply program for 6 months. House sent Government corporations appropriation bill to conference; instructed conferees not to agree to TVA fertilizer plant. House agreed to Senate amendment to bill to continue Land Bank Commissioner loans. Senate committees reported bills to: Provide for 2 more Assistant Secretaries of Agriculture; continue Federal administration of Agricultural Conservation program for 2 years; provide that future peanut allotments and quotas shall be at least as much as in 1941; prohibit 1947 cotton and peanut allotments and quotas; provide for Swan Island animal quarantine station; provide substantive authority for administrative-expense items in Independent Offices Appropriation Act. President approved bill to provide July 5 holiday.

HOUSE

- 1. FARM-LABOR PROGRAM.** Passed without amendment H. R. 6828, to authorize appropriations for continuation of the farm-labor supply program until July 1, 1947 (p. 8286).
- 2. GOVERNMENT CORPORATIONS APPROPRIATION BILL.** Reps. Mahon, Whitten, Gore, Jensen, and Ploeser were appointed conferees on this bill, H. R. 6777 (p. 8310). Senate conferees were appointed June 29.
Agreed, 161-148, to a motion by Rep. Rich, Pa., to instruct the House conferees not to agree to the provision for a \$3,000,000 TVA fertilizer plant (pp. 8300-10). 8269).
- 3. PERSONNEL.** Passed without amendment S. 2335, to authorize department heads to excuse employees on July 5, 1946, if they work an equal number of hours at some other time during the month (pp. 8274-5). This bill was approved by the President later in the day (public-law number not yet available).
- 4. FARM CREDIT.** Agreed to the Senate amendment to H. R. 6477, to authorize continuation of Land Bank Commissioner loans until July 1, 1951; to limit such loans to refinancing for the period July 1, 1946, to July 1, 1951, except as may be otherwise specified by Congressional resolution; and to authorize repayment to the Treasury of capital in excess of that necessary to carry on the functions of the Federal Farm Mortgage Corporation (p. 8270). This bill will now be sent to the President.
- 5. FORESTRY.** Passed without amendment H. R. 6298, to authorize exchange of mineral rights reserved on the Vesuvius watershed in the Little Scioto and Symmes Creek Purchase Units, Ohio, and owned by the Mineral Products Co. and others, for

surface rights of equal value owned by the U. S. in other lands that do not drain into Vesuvius Lake (pp. 8275-6).

Passed over H. R. 1392, to provide for reseeding forest lands, on the objections of Reps. Kean, Cunningham, and Rich (p. 8273).

6. WAR DEPARTMENT MILITARY APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 6837 (pp. 8311-6).

7. PRICE CONTROL. Rep. Case, S. Dak., said the increased livestock receipts in the stockyards are "an interesting postscript to some of yesterday's wild alarms" (p. 8269).

Rep. Cole, Mo., inserted telegrams commending elimination of price controls (p. 8272).

Rep. Patman, Tex., spoke in favor of "preventing inflation" and increasing taxes to balance the budget (pp. 8291-2).

SENATE

8. ASSISTANT SECRETARIES OF AGRICULTURE. The Senate Agriculture and Forestry Committee reported without amendment S. 1923, to provide for two additional Assistant Secretaries of Agriculture (S. Rept. 1638) (p. 8211).

9. MARKETING; PEANUTS. The Agriculture and Forestry Committee reported without amendment H.J.Res. 359, to prohibit the proclaiming of marketing quotas on peanuts for the calendar year 1947 or the establishment of National, State, or farm acreage allotments for peanuts for the 1947 crop (S. Rept. 1643) (p. 8211).

The Agriculture and Forestry Committee reported without amendment H.R. 5958, to provide that future marketing quotas and acreage allotments of peanuts for each State shall be at least that for 1941 (S. Rept. 1640) (p. 8211).

10. ANIMAL QUARANTINE. The Agriculture and Forestry Committee reported without amendment H.J.Res. 364, to provide for establishment of an international animal-quarantine station on Swan Island, and to permit the entry therein of animals from any country and the subsequent importation of such animals into other parts of the U.S. (S. Rept. 1644) (p. 8211).

11. AGRICULTURAL CONSERVATION PROGRAM. The Agriculture and Forestry Committee reported without amendment H.R. 6459, to continue Federal administration of the Soil Conservation and Domestic Allotment Act from Jan. 1, 1947, to Jan. 1, 1949 (S. Rept. 1641) (p. 8211).

12. PERSONNEL; CLAIMS. The Expenditures in the Executive Departments Committee reported without amendment H.R. 6532, to permit department and agency heads to designate disbursing officers to make payments of claims directly to Government employees and former employees for the difference between rates and overtime, leave, and holiday compensation computed at night rates pursuant to Comptroller General decisions (S. Rept. 1645) (p. 8211).

13. COTTON. The Agriculture and Forestry Committee reported without amendment H.J. Res. 336, to prohibit 1947 cotton marketing quotas and acreage allotments (S. Rept. 1642) (p. 8211).

14. ADMINISTRATIVE EXPENSES. The Expenditures in the Executive Departments Committee reported with amendments (H.R. 6533, to provide substantive authority for general provisions now carried in the Independent Offices Appropriation Act on an annual basis, with modifications (S. Rept. 1636) (p. 8211).

ADMINISTRATIVE EXPENSES IN GOVERNMENT
DEPARTMENTS

JULY 2, 1946.—Ordered to be printed

Mr. HILL, from the Committee on Expenditures in the Executive Departments, submitted the following

REPORT

[To accompany H. R. 6533]

The Committee on Expenditures in the Executive Departments, to whom was referred the bill (H. R. 6533) to authorize certain administrative expenses in the Government service, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

GENERAL STATEMENT

This bill might be referred to as a bill to cut down on Government red tape.

The principal purpose of the bill, which deals with departmental procedures and expenditures incident to certain employees' travel, and to contracts and purchases, and related matters, is the permanent enactment of numerous provisions which, although of a continuing and general character, have been included hitherto in the annual appropriation acts. That purpose is designed to supplement the program announced last year by the chairman of the House Appropriations Committee¹ to avoid so far as possible the recurring enactment of legislative items in appropriation acts. Related to that purpose are a number of sections designed to authorize the Appropriations Committee, in its annual review of each agency's operations, to provide exceptions from certain general prohibitory administrative-expense legislation, where the special needs of the current programs of a particular agency may justify them.² Finally, a number of sections are intended to revise and modernize a group of permanent statutes, comprising an important segment of the body of legislative guides

¹ See 91 Congressional Record 2671, March 23, 1945.

² Many such exceptions now appear in the appropriation acts, but would be subject to point of order to lack of legislative authorization, such as that now proposed.

and rules for the conduct of the Government's business, which require codification and adaptation to the current needs, size, and scope of the functions of the Government.

EXPLANATION BY SECTIONS

The first seven sections deal with travel expenses in various special categories; sections 8 and 9 deal with contracts and purchases; the remaining sections, respectively, deal with (10) witness fees, (11) advances of public funds, (12) delegation of authority, (13) purchase of special clothing, (14) employees' awards for suggestions, (15) the hire of experts and consultants, (16) the purchase and use of Government automobiles and aircraft, and (17) miscellaneous repeals and amendments.

Section 1. Expenses on change of employee's headquarters.—Section 1 makes permanent provision for the expenses payable by the Government in the event of a transfer of a civilian employee from one official headquarters to another and displaces for that purpose the present temporary provisions which are carried in the annual appropriation acts. In revising the procedure for taking care of such expenses the following relatively minor changes are made, based upon the recommendations of the Bureau of the Budget and of the Comptroller General:

(1) The authorization for the transfer: For most departments, present law requires that the head of the department or an assistant head personally order the transfer of the employee and authorize the expenses, and this authorization is directed to be signed before the employee makes the trip. It is evident that the first of these requirements is impractical and the bill proposes to authorize the delegation of the authority to order the transfer but there is retained the requirement that such order be issued in advance of the travel.

(2) Transfers between departments: Except for a temporary provision which was effective in the case of war-service transfers, present law does not sanction the payment of expenses in the case of a transfer of station where there is involved also a transfer of the employee from one department to another. Recognizing that the various departments represent but a single employer, the bill provides for the payment of expenses even in case of such a transfer, but with the restriction that no expenses are payable in any case where the transfer is made primarily for the convenience and benefit of the employee or at his request.

(3) Transportation of employee's family: In an appropriation act a year ago general provision was made for the first time for the payment of the transportation expenses of the immediate family of an employee who is transferred. This allows rail fare, for example, but does not provide for subsistence or for a per diem. Where, as happens in many cases, the family travel with the employee in his private car, the extra expenses payable under this provision are negligible.³ The bill would make this provision permanent.

(4) Lump-sum commutation for shipment of household goods: The present law calls for the reimbursement by the Government of the actual expense incurred by an employee in the shipment of his house-

³ Where the family travel in a car at a different time, the employee having proceeded by other means, mileage will be paid for the auto expenses.

hold goods on change of station, within the weight limit of 5,000 pounds (unpacked weight). Except for a temporary wartime modification, the regulations necessarily have provided that shipment be by the most economical means. This, in normal times, leaves the Government's administrative officers no alternative but to develop and consider the charges to be anticipated by all of the various means of shipment ordinarily available—rail freight, vessel, motor van, or a combination of any or all of those methods. In part, the rate payable per hundredweight depends upon the total weight involved in the shipment and in most cases it is not feasible to know what weight will be involved until after the goods have embarked upon their journey. Dissatisfaction results when the Government officers are required to deal with a particular carrier who may not be satisfactory to the employee whose goods are entrusted to it.

The operations involved for administration alone in estimating the goods to be shipped, obtaining bids from motor-van carriers (who legally may, and often do, grant a discount to the Government), checking the tariff costs for shipment by rail or motor freight, obtaining estimates for packing, crating, and drayage for rail shipment, evaluating the bids and issuing the Government bill of lading, supervising the shipment and delivery at destination, examining the carrier's invoice, vouchering payment thereon, auditing the payment and collecting back from the employee in case of excess weight, and settling of claims of the employees and the carriers, are believed to represent an undue effort and expense which can be eliminated entirely by a provision for commutation of the expense of shipment to a lump sum. The bill authorizes such a commutation, payment in each case to be a lump sum derived from a table to be prescribed by Executive regulation which will be based upon the average cost ordinarily incurred for a given amount of goods for a given distance. Subject to the authorized weight allowance, the variables involved will be two only, viz, the quantity of goods actually caused to be shipped by common carrier and the distance involved in the move. The employee will select whatever means of shipment best suits his purposes and the Government will pay the same sum, whatever method the employee may select.

The proposed commutation plan is in line with the precedents long established for commutation of subsistence expenses into a per diem and of automobile expenses into a mileage rate. The commutation will apply to all shipments between points within the United States but, in view of the practical difficulties involved, will not apply to foreign shipments. Also, the amount payable will depend in all cases upon the quantity of household goods which an employee actually has and actually ships, without regard to the method of shipment, subject to the maximum limit.

(5) Weight limit: Figures were presented to the committee tending to show that the present weight limit of 5,000 pounds is sufficient to cover all the goods of the employee in about 8 cases out of 10, leaving the employee to bear the prorata cost for the excess weight in the remaining cases. It appearing that an increase to 7,000 pounds would cover about 92 percent of the cases, the committee believes it fair and reasonable to increase the maximum limit to that amount (a slightly higher adjustment to allow for the weight of crating being retained for cases of rail or ocean shipment). It is to be borne in mind

that the figure of 7,000 pounds is a maximum only, and that neither the actual expense nor the commuted reimbursement is to be paid for any weight in excess of that actually shipped.

(6) Advance of funds: Since it is planned to have the employee make all arrangements for the transportation of himself, his family and his household goods to his new station without intervention (or interference) of his agency except for the issue of transportation requests to provide for their rail tickets, the bill authorizes an advance of funds according to the same plan now in force for advances for subsistence expenses in the case of normal official travel.

Section 2. Similar items repealed.—The adoption of section 1 requires the repeal of the act of October 10, 1940, as well as all other statutes (with two exceptions) relating to allowances to civilian employees of the executive branch on transfer of station so that the laws will be substantially uniform in this respect.

Section 3. Auto mileage.—In a revision of the Auto Mileage Act of 1931, the following changes from present general law are proposed:

(1) Mileage is to be paid for the use of a private car at the employee's station as well as for trips from one point to another. The present law allows the payment of actual expenses only (that is, gasoline and oil) for driving within an employee's station, except in the case of certain particular agencies where Congress has specifically provided for mileage up to 3 or 4 cents at the official station. It is believed to be manifestly more practical and not perceptibly less economical to allow mileage at the station of an employee. In the case of trips from one point to another, the bill would make no change in the rate now payable, that is, up to 5 cents a mile, as may be determined by the department, but the bill would have the effect of removing the present technicality which requires the speedometer readings and computation to begin at the point of leaving the corporate limits of the city where the employee is stationed. The mileage rate, under the bill as reported, would not be reduced to 4 cents for driving wholly within the limits of the official station, as the House bill provided.

(2) Mileage may be allowed for travel authorized and directed in the Government's interest whether or not the traveler be an actual employee of the Government.

(3) The present law requires it first to be determined that a proposed journey by private car is more economical and advantageous to the United States. It is proposed to remove the requirement that the economy to the Government be actually found and declared in the travel order and proved by a comparison of figures in case of doubt. The committee does not contemplate and would not sanction the use of a private car where the expense would be distinctly less economical to the United States, but it is willing to leave this responsibility to the administrative officers involved who, it is believed, can be relied upon to exercise justifiable restraint without being required to undertake extensive and formal findings and proofs.

(4) The present law requires that the authorization for the use of a car be signed before the traveler leaves. It is believed this is unnecessarily restrictive and does not provide for emergencies when subsequent approval is all that can be obtained. The bill provides for mileage either to be authorized (that is, in advance), or approved (that is, subsequently), thus leaving the payment of mileage within administrative control.

(5) In line with the accepted principle that the payment of mileage commutes any and all expenses involved in the trip (such as for gasoline, oil, tires, depreciation, storage, towing, repairs, accidental damages to or against the car or its owner) it has been held that ferry fares, bridge, road, and tunnel tolls are included in the mileage and may not be paid in addition. This is believed to be an inequitable result of the present statute. In line with a number of special provisions recently adopted for particular agencies, reimbursement is provided for such fares and tolls in addition to whatever mileage may otherwise accrue.

Section 4. Foreign travel.—This section sanctions for the next 2 years an authorization in an appropriation or other act for a higher-than-normal rate of per diem allowance in lieu of subsistence in the case of official travel outside the United States. Provision is made for uniform regulations to fix the maximum per diem rate payable according to the locality in which the travel was performed. Present world conditions, particularly the wide variance in exchange rates, appear to require this leeway, but the time limit, June 30, 1948, has been inserted to insure that the subject will be reconsidered before it is longer continued. The present provision for higher per diem rates for foreign travel has been contained for several years in the annual appropriation acts.

Section 5. Travel of consultants and experts.—Section 5 would enact permanently provisions which have appeared in appropriation acts in very recent years to permit consultants or experts employed intermittently, and paid a per diem "when actually employed," to be allowed travel expenses while away from their homes or regular (that is their private) places of business, including a per diem while at the place of their Government employment. In the case of persons serving without compensation or at \$1 per annum, the section will allow transportation to and from their homes or regular places of business and a per diem en route and while at work at higher than the normal rates of per diem for travel purposes.

Section 6. Lowest first-class fares.—Present law contained in an act of 1933 limits the allowances for transportation to the cost of what is known as the lowest first-class rate by the transportation facility used. By regulation this is defined to mean a standard lower berth or lowest rate first-class stateroom. Frequently it is not possible for a traveler to obtain that accommodation and, since the law contains no exception, the traveler is required either to wait over at Government expense until such accommodation is available or else to pay the extra charge himself. Neither such proceeding is a creditable or justifiable one in the public interest. Section 6 proposes to amend the statute referred to so as to remove the restriction as to lowest first-class rates in cases where it is certified that such accommodations are not available and also in certain special cases where some other accommodation is required for purposes of security.

Section 7. Travel to duty stations abroad.—Section 7 provides that appropriations for the departments (other than those for the foreign service of the State Department) shall be available, in accordance with regulations prescribed by the President, for expenses of travel and transportation in the case of new appointees, for themselves, their families, and effects, from places of residence to places of employment outside continental United States, and for such expenses on return

of employees from such places to their places of residence at time of assignment to duty abroad, on condition that such new appointees shall remain in the Government service for 1 year. It is intended to insure that, in the case of positions abroad to be filled by citizens from this country, there would not be applied the general rule that an employee must bear the expenses of reporting to his first duty station and of returning to his home or place of engagement upon separation from the service (Cf. 13 Comp. Gen. 390; 16 id. 852; 19 id. 71; and *United States v. Lauer*, 50 F. Supp. 299). The foreign service, State Department, is excepted from section 7 because special provision has been made with respect to such expenses in the foreign-service appropriation acts over a period of years.

Section 8. Trade-in allowance.—Numerous statutes now permit the trade-in of old equipment such as boats, vehicles, office equipment, etc., when replacements are being acquired. However, the laws are in conflict as to the financial provisions applicable. In some cases the trade-in allowance is credited directly to the purchase price and the department pays out from its appropriation only the net difference. In other cases the department is required to accept the trade-in allowance as a receipt from sale of Government property, deposit that credit and pay out from its appropriation the entire gross selling price of the article being purchased. Section 8 is copied from the current Independent Offices Appropriation Act, with a slight change, and it will make permanent the authorization for the exchange or sale of certain types of equipment at the time replacements are purchased, crediting the sale or trade-in value against the purchase price.

Section 9. Advertising for bids in public purchases and sales.—The basic statute which has regulated purchasing by the Government for many years is section 3709, Revised Statutes, which, in brief, requires that public contracts for purchases and services other than personal be let only after advertising for bids. The statute itself has remained unamended since its enactment in 1861 and the program which it requires is believed to be fundamentally in the public interest since by no other means yet discovered is assurance provided that (a) the Government as a purchaser and a customer will receive the best bargain obtainable, and (b) builders, dealers, suppliers, and manufacturers reasonably in a position to supply the Government's needs will have a fair and equal opportunity to compete for and share in the Government's business. During the period of wartime procurement, the First War Powers Act authorized an exception whenever the President deemed such action would facilitate the prosecution of the war. The amendments now suggested with respect to Government purchases are designed to be perfecting only, and consist of four exceptions, of which three are adaptations from existing law and one covers a practical condition recognized by decisions of the accounting officers in the course of many years' experience. It is believed desirable to codify all of these exceptions and enact them as a part of the basic law. The exceptions referred to exempt the following classes of transactions:

(1) Those in which the amount involved does not exceed \$100—many such exemptions now on the books range in amounts from \$25 to \$500. This section proposes to raise to \$100 all exemptions which are now below that figure but to retain intact all exemptions of more than \$100 which are now a part of the law.

(2) Those in which the public exigencies require immediate delivery or performance.

(3) Those in which only one source of supply is available to meet the particular needs of the Government service, and the contracting officer so certifies. The Comptroller General has advised that it is understood that the contracting officer's certification will be supported by a brief statement of the facts and reasons on which it is based.

(4) Those in which the services are required to be performed by the contractor in person and either (a) are of a technical and professional nature or (b) are under Government supervision and paid for on a time basis. In this subsection the committee revised the language slightly to insure that personal services of a technical or professional nature would not have to be advertised for. Certain other perfecting or clarifying amendments also were adopted at this point, involving sections 9 and 18.

The committee approves the House proposal, based upon a recommendation of the Comptroller General, that the statute should specify in plain terms that its mandate for advertising for bids is equally applicable whether the Government deals as a buyer or as a seller. The present statute does not so specify with respect to sales by the Government. The proposed section corrects that discrepancy but retains an exemption for (a) the special procedures directed under the Surplus Property Act, and (b) any other exceptions authorized by law.

Section 10. Witnesses before departments.—Allowances for per diem and mileage are fixed by law (28 U. S. C. 600c) for witnesses before United States courts. Section 10—making general and uniform a provision now applicable to a few agencies only—would authorize the same payment to be made in the case of witnesses summoned to appear before a department authorized by law to hold hearings and subpoena witnesses.

Section 11. Advances of public funds.—The advance of public money generally is prohibited by section 3648, Revised Statutes (31 U. S. C. 529). Occasionally, to meet special needs and particular situations (especially in the case of transactions abroad) it has been found necessary to create legislative exceptions to the general rule. These situations are comparatively minor but are apt to require quick legislative action. Section 11 would amend the original section cited merely by adding the words "unless authorized by the appropriation concerned or other law". Its purpose is merely to sanction the incorporation of exceptions in appropriation acts as may be required from time to time without raising the question of a point of order.

Section 12. Delegation of authority.—Section 12, among other things, would authorize the head of a department to delegate to subordinate officials his powers relative to employment, etc., of personnel. By the act of June 26, 1930 (46 Stat. 817), the head of a department may delegate to subordinates the power to employ persons for duty in the field service of his department, but the appointment of personnel for the departmental service must be approved personally by the head of the department. (See H. Rept. No. 1397, 78th Cong., which accompanied H. R. 1725 in the House of Representatives.) The Department of Agriculture has been granted such authority. In view of the size to which the Government establishment has grown, delegation of authority respecting appointment, direction and general administration of personnel is believed to be desirable and necessary in the in-

terest of rapid and efficient administration. In the same light, it no longer seems necessary or even desirable to continue to require compliance with certain other early and now outmoded statutes which (a) require that the head of the department by written order direct the purchase of articles, etc., for the contingent fund appropriated to his office, and (b) prohibit the newspaper publication of advertisements, notices, or proposals except pursuant to written authority of the head of the department. The section authorizes the delegation of both such authorities.

Section 13. Special clothing.—Section 13 provides that appropriations available for the procurement of supplies, etc., shall be available for the purchase of special clothing and equipment for the protection of personnel in the performance of their assigned tasks—an extension to all departments of a provision already applicable to many.

Section 14. Awards for suggestions.—Section 14 is intended to provide a uniform Government-wide system to encourage the submission by employees of suggestions for improvements or economies in the operations of their departments and to sanction the payment of cash awards therefor. Such plans now are authorized for the War Department, Navy Department, Maritime Commission, War Shipping Administration, Department of the Interior, and Post Office Department. In some other agencies it is the practice to grant to an employee submitting a meritorious suggestion an extra, one-step, within-grade promotion under the Ramspeck-Mead Act of 1941. Section 14 would not intend to displace that authority, but it would supersede the several provisions for cash awards above referred to. Substantially in line with the present laws, no monetary limit is provided in the case of the War and Navy Departments, while in the remaining departments no one award may exceed \$1,000 and the total cash awards paid during any fiscal year in any department may not exceed \$25,000. It is specified that the suggestions must be meritorious, result in improvement or economy, and be adopted for use. No payment is to be allowed where the making of the suggestion represents a part of the duties of the employee's position; also the acceptance of an award will constitute an agreement waiving any further claim upon the United States for the suggestion. Payments are to be made from the appropriations for the activities benefited. The committee has included language to allow the granting of honorary recognition for exceptional or meritorious services.

Section 15. Hire of experts or consultants.—Section 15 would provide that the head of a department, when authorized in an appropriation or other act, may procure temporary or intermittent service of experts or consultants, including stenographic reporting services, by contract without regard to the civil-service and classification laws aside from the maximum rate limit and, except in case of stenographic reporting organizations, without regard to section 3709, Revised Statutes, as amended. Such authority has been included in appropriation in acts numerous instances.

Section 16. Automobiles and aircraft.—Since 1904 a series of statutes including appropriation acts has restricted to a greater or lesser degree the purchase and use of what were at one time referred to as "motor-propelled or horse-drawn passenger-carrying vehicles." Section 16 is proposed to codify those enactments into a single permanent statute as an amendment of a 1914 act. Subsection (a) of the amended act

prohibits (with certain exceptions) the purchase or hire of passenger motor vehicles unless specifically authorized by the appropriation concerned or other law. The present statute has the same effect but includes, also, a restriction on expenses for maintenance, repair, and operation which is believed to be unnecessary so long as the original acquisition of the cars is under congressional control. Subsection (b) is derived from the current independent offices appropriation act and constitutes a prohibition on the purchase, maintenance, or operation of aircraft (except for the Military and Naval Establishments) unless specifically authorized. Subsection (c) (1) deals with the limit on the purchase price allowable for new automobiles purchased by the Government.

The present figure is provided by the annual appropriation acts—for the fiscal year 1946, such amount as may be fixed by certain department heads but not to exceed the OPA limit or \$1,500. The new subsection provides that the price shall not exceed a general maximum price fixed pursuant to law and in no event such amount as may be specified in an appropriation or other act. The new subsection (c) (2) prohibits the operation of automobiles and aircraft for the personal use of employees, with certain exceptions. The provision is taken from the annual independent offices appropriation act, except that the word "aircraft" has been added. The new subsection (d) requires that the annual budget for each department shall show in detail estimates of appropriations required for the purchase or hire of passenger motor vehicles or for the purchase, maintenance, or operation of aircraft and shall state the public purposes for which the conveyances are intended, the number of currently owned conveyances to be continued in use, and the officials or employees by whom all such conveyances are to be used. This is an adaptation of an act of 1914 on the same subject (5 U. S. C. 78). Subsection (e) provides that the acquisition of aircraft or passenger motor vehicles by any agency by transfer from another department is to be considered as a purchase within the meaning of the foregoing. The remainder of section 16 consists of the repeal of an act of 1904,* pertaining to horse-drawn vehicles, and of a language change in the act of 1905, requiring the printing of the name of the department on all motor vehicles acquired and used for official purposes.

Section 17. Miscellaneous repeals and amendments.—Section 17 (a) repeals the following three statutes which are believed to have outlived their usefulness and to be obsolete:

(1) Section 1779, Revised Statutes, which seems to limit to \$30 the amount that may be spent for newspapers, etc., not necessary for the public business;

(2) An act of 1881 (44 U. S. C. 323), requiring that public advertising in the District of Columbia be given to newspapers of each of the two principal political parties and to neutral newspapers; and

(3) An act of 1898 (31 U. S. C. 678), requiring special appropriation for the purchase of lawbooks, books of reference, and periodicals for the use of any department.⁴

⁴ The committee finds that this requirement has in many cases simply resulted in adding language to appropriation acts without accomplishing any specific limitation or deterrent. Even without such requirement the Congress will have full power to place a limitation on such expenditures whenever it so desires.

Section 17 (b) amends two statutes, as follows:

(1) An act of 1876 (44 U. S. C. 321), which regulates the publication of advertisements for contracts in the District of Columbia; and

(2) The act of June 23, 1906 (3 U. S. C. 43), which limits the appropriation for traveling expenses for the President to \$25,000 per annum. It is proposed to increase that figure to \$40,000.

Section 18. Definitions and coverage.—The usual definitions of the word “department,” etc., are here included, but there is especially called to the attention of the Congress the specific language making the transactions of wholly owned Government corporations subject to the authorizations and limitations of the bill, except that section 9 (pertaining to advertising for purchases and sales) is to apply to only the administrative transactions of the wholly owned Government corporations. This language is implemented by a provision construing the word “appropriation” as including funds made available by legislation under the Government Corporation Control Act, approved December 6, 1945. [The extent to which the Government corporations are free from the regulatory and prohibitory statutes enacted from time to time with respect to the public business of the United States is a question which Congress has never undertaken fully to settle. However, there can be no doubt that one, and perhaps the principal, motive for which authority is sought to use the corporate device has been to make it possible for the functions entrusted to such an instrumentality to be carried out without regard to many of the statutes such as are considered in the present bill. Most clearly is that true with respect to the direct operating transactions of the corporations, particularly the purchase and sale of property.]

The only section of the present bill which would seem greatly to affect such operating transactions is made subject to the exception above noted with reference to the corporations. The remainder of the bill seems to affect mainly the administrative expenses of the corporations. In line with the policy of the Congress, which since 1936⁵ has become increasingly apparent, it is provided by the bill that except for advertising for purchases and sales, the wholly owned corporations are to be covered to the same extent as other Government agencies. The committee is impressed that with respect to such topics as travel expenses upon change of station, automobile mileage, the hire of consultants and experts and payment of their travel expenses, the trade-in of old equipment for new, awards to employees for suggestions, and the purchase and use of automobiles and aircraft, no sound reason has been presented for treating the corporations differently than other agencies. If, as is sometimes asserted, statutory rules of the type just listed are too restrictive to permit efficient operation and unnecessary in the public interest, then such criticism should apply equally whether the function concerned is one carried on by a corporation or by a department, and the committee, upon

⁵ The act of June 22, 1936 (15 U. S. C. 712a), referred to 13 Government corporations, including HOLC, Export-Import Bank, RFC, and Commodity Credit, and prohibited any obligation for administrative expenses except pursuant to an annual appropriation. Subsequently, the annual acts appropriating or regulating the availability of funds for administrative expenses of a number of the corporations have provided that no such funds shall be obligated or expended until the funds have been set up as an appropriation account and such expenditures shall be accounted for and audited in accordance with the Budget and Accounting Act. See, for example, Public Law 49, approved May 3, 1945, and many others which are referred to in S. Doc. No. 86, 79th Cong.

convincing proof of any such assertion, would consider recommending a general repeal or revision of the offensive legislation.

Section 19. Coverage.—Section 19 provides that the sections pertaining to civilian personnel do not apply to persons covered by the Pay Readjustment Act of 1942 which includes the military and naval forces.

Section 20. Effective date.—In making the act effective immediately (except secs. 1 and 2, which are to become effective 3 months after the enactment), it is to be presumed that the numerous corresponding provisions of the independent offices appropriation act or other laws on the same subject matter, will be superseded when the present bill shall have been approved.



Calendar No. 1666

79TH CONGRESS
2^D SESSION

H. R. 6533

[Report No. 1636]

IN THE SENATE OF THE UNITED STATES

JUNE 4 (legislative day, MARCH 5), 1946

Read twice and referred to the Committee on Expenditures in the Executive
Departments

JULY 2, 1946

Reported by Mr. HILL, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

To authorize certain administrative expenses in the Government
service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) under such regulations as the President may
4 prescribe, any civilian officer or employee of the Govern-
5 ment who, in the interest of the Government, is transferred
6 from one official station to another, including transfer from
7 one department to another, for permanent duty, shall, except
8 as otherwise provided herein, when authorized, in the order
9 directing the travel, by such subordinate official or officials
10 of the department concerned as the head thereof may
11 designate for the purpose, be allowed and paid from Gov-

ernment funds the expenses of travel of himself and the expenses of transportation of his immediate family (or a commutation thereof in accordance with the Act of February 14, 1931) and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects (not to exceed ~~five~~ *seven* thousand pounds if uncrated or ~~six~~ *eight* thousand ~~two~~ *seven* hundred and fifty pounds if crated or the equivalent thereof when transportation charges are based on cubic measurement) : *Provided*, That advances of funds may be made to the officer or employee in accordance with said regulations under the same safeguards as are required under the Subsistence Expense Act of 1926 (5 U. S. C. 828) : *Provided further*, That the allowances herein authorized shall not be applicable to civilian employees of the War Department and their dependents when transferred under the provisions of section 3 of the Act of June 5, 1942 (50 U. S. C. 763), nor to officers and employees of the Foreign Service, Department of State: *Provided further*, That no part of such expenses (including those of officers and employees of the Foreign Service, Department of State) shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee or at his request: *Provided further*, That in case of transfer from one department to another such expenses shall be payable from

1 the funds of the department to which the officer or employee
2 is transferred.

3 (b) In lieu of the payment of actual expenses of
4 transportation, packing, crating, temporary storage, dray-
5 age, and unpacking of household goods and personal effects,
6 in the case of such transfers between points in continental
7 United States, reimbursement shall be made to the officer
8 or employee on a commuted basis (not to exceed the amount
9 which would be allowable for the authorized weight allow-
10 ance) at such rates per one hundred pounds as may be fixed
11 by zones in regulations prescribed by the President.

12 (c) Funds available for travel expenses of civilian
13 officers and employees shall also be available for the ex-
14 penses of the transportation of their immediate families, and
15 funds available for the transportation of things shall also be
16 available for the transportation of household goods and
17 effects, as authorized by this Act.

18 SEC. 2. The Act of October 10, 1940 (5 U. S. C.
19 73c-1), relating to allowances for the transportation of
20 household goods, section 5 of the Act of March 4, 1923,
21 as amended (19 U. S. C. 48), relating to traveling and
22 subsistence expenses of customs officers and employees,
23 the first sentence of section 645 (a) of the Tariff Act of
24 1930 (19 U. S. C. 1645 (a)), relating to traveling and
25 subsistence expenses of the families of such officers and

1 employees, and other Acts relating to allowances to civilian
2 officers and employees in the executive branch of the Govern-
3 ment (except those mentioned in the second proviso clause
4 of section 1 (a) of this Act) on transfer from one official
5 station to another for permanent duty, are hereby repealed.

6 SEC. 3. The Act of February 14, 1931 (5 U. S. C.
7 73a), as amended, is further amended to read as follows:

8 "Civilian officers or employees or others rendering serv-
9 ice to the Government shall, under regulations prescribed
10 by the President, and unless otherwise provided in the
11 appropriation concerned or other law, and whenever such
12 mode of transportation is authorized or approved as more
13 advantageous to the Government, be paid in lieu of actual
14 expenses of transportation not to exceed 2 cents per mile for
15 the use of privately owned motorcycles or 5 cents per mile for
16 the use of privately owned automobiles or airplanes when en-
17 gaged in necessary travel on official trips from their desig-
18 nated posts of duty or places of service, or 2 cents per mile
19 for the use of privately owned motorcycles or 4 cents per
20 mile for the use of privately owned automobiles when used
21 on official business wholly within the limits of their official
22 stations or places of service *business*. In addition to the
23 mileage allowances provided for in this section, there may
24 be allowed reimbursement for the actual cost of ferry fares
25 and bridge, road, and tunnel tolls."

1 SEC. 4. Until June 30, 1948, when authorized in an
2 appropriation or other Act, appropriations available for
3 travel expenses shall be available for the payment, with-
4 out regard to the rates authorized by the Subsistence Ex-
5 pense Act of 1926, as amended (5 U. S. C. 821-833),
6 of per diem allowances in lieu of subsistence expenses to
7 civilian officers and employees of departments while travel-
8 ing on official business outside continental United States
9 and away from their designated posts of duty: *Provided*,
10 That the amount of such allowances shall be determined
11 by the head of the department concerned or by such sub-
12 ordinates as he may designate for the purpose, but shall
13 in no case exceed the maximum established by regula-
14 tions prescribed by the President for the locality in which
15 the travel is performed.

16 SEC. 5. Persons in the Government service employed
17 intermittently as consultants or experts and receiving compen-
18 sation on a per diem when actually employed basis may
19 be allowed travel expenses while away from their homes
20 or regular places of business, including per diem in lieu
21 of subsistence while at place of such employment, in ac-
22 cordance with the Standardized Government Travel Regula-
23 tions, Subsistence Expense Act of 1926, as amended (5
24 U. S. C. 821-833), and the Act of February 14, 1931, as
25 amended by this Act, and persons serving without compen-

1 sation or at \$1 per annum may be allowed, while away
2 from their homes or regular places of business, transporta-
3 tion in accordance with said regulations and said Act of
4 February 14, 1931, as so amended, and not to exceed
5 \$10 per diem in lieu of subsistence en route and at place
6 of such service or employment unless a higher rate is specifi-
7 cally provided in an appropriation or other Act.

8 SEC. 6. Section 10 of the Act of March 3, 1933 (5
9 U. S. C. 73b), is hereby amended to read as follows:

10 "SEC. 10. Whenever by or under authority of law
11 actual expenses for transportation may be allowed, such al-
12 lowances shall not exceed the lowest first-class rate by the
13 transportation facility used in such transportation unless it
14 is certified, in accordance with regulations prescribed by
15 the President, that lowest first-class accommodations are
16 not available or that use of a compartment or such other
17 accommodations as may be authorized or approved by the
18 head of the agency concerned or such subordinates as he
19 may designate, is required for purposes of security."

20 SEC. 7. Appropriations for the departments shall be
21 available, in accordance with regulations prescribed by the
22 President, for expenses of travel of new appointees, ex-
23 penses of transportation of their immediate families and
24 expenses of transportation of their household goods and per-
25 sonal effects from places of actual residence at time of

1 appointment to places of employment outside continental
2 United States, and for such expenses on return of employees
3 from their posts of duty outside continental United States to
4 the places of their actual residence at time of assignment to
5 duty outside the United States: *Provided*, That such ex-
6 penses shall not be allowed new appointees unless and until
7 the person selected for appointment shall agree in writing
8 to remain in the Government service for the twelve months
9 following his appointment, unless separated for reasons
10 beyond his control. In case of a violation of such agreement
11 any moneys expended by the United States on account of
12 such travel and transportation shall be considered as a debt
13 due by the individual concerned to the United States. This
14 section shall not apply to appropriations for the Foreign
15 Service, State Department.

16 SEC. 8. In purchasing motor-propelled or animal-drawn
17 vehicles or tractors, or road, agricultural, manufacturing, or
18 laboratory equipment, or boats, or parts, accessories, tires, or
19 equipment thereof, or any other article or item the exchange
20 of which is authorized by law, the head of any department or
21 his duly authorized representative may exchange or sell
22 similar items and apply the exchange allowances or proceeds
23 of sales in such cases in whole or in part payment therefor:
24 *Provided*, That any transaction carried out under the authority
25 of this section shall be evidenced in writing.

1 SEC. 9. (a) Section 3709 of the Revised Statutes of the
2 United States is hereby amended to read as follows:

3 "Unless otherwise provided in the appropriation con-
4 cerned or other law, purchases and contracts for supplies
5 or services for the Government may be made or entered
6 into only after advertising a sufficient time previously for
7 proposals, except (1) when the amount involved in any
8 one case does not exceed \$100, (2) when the public
9 exigencies require the immediate delivery of the articles
10 or performance of the service, (3) when only one source
11 of supply is available and the Government purchasing or
12 contracting officer shall so certify, or ~~(4) when the services~~
13 ~~are to be performed by the contractor in person, under Gov-~~
14 ~~ernment supervision, and paid for on a time basis (4) when~~
15 *the services are required to be performed by the contractor*
16 *in person and are (A) of a technical and professional nature*
17 *or (B) under Government supervision and paid for on a*
18 *time basis. Except (1) as authorized by section 29 of the*
19 *Surplus Property Act of 1944 (50 U. S. C. App. 1638),*
20 ~~or unless (2) when otherwise authorized by law, sales and~~
21 ~~contracts of sale by the Government shall be governed by~~
22 ~~the requirements of this section for advertising, except when~~
23 ~~the reasonable value involved in any one case does not exceed~~
24 ~~\$100 or (3) when the reasonable value involved in any one~~
25 *case does not exceed \$100, sales and contracts of sale by the*

1 *Government shall be governed by the requirements of this*
2 *section for advertising."*

3 (b) Exemptions from section 3709, Revised Statutes,
4 in other law in amounts of \$100 or less are hereby repealed.

5 (c) *In the case of wholly owned Government corpora-*
6 *tions, this section shall apply to their administrative trans-*
7 *actions only.*

8 SEC. 10. Whenever a department is authorized by law
9 to hold hearings and to subpoena witnesses for appearance
10 at said hearings, witnesses summoned to and attending such
11 hearings shall be entitled to the same fees and mileage, or
12 expenses in the case of Government officers and employees,
13 as provided by law for witnesses attending in the United
14 States courts.

15 SEC. 11. The first sentence of section 3648 of the
16 Revised Statutes (31 U. S. C. 529) is hereby amended
17 to read as follows:

18 "No advance of public money shall be made in any case
19 unless authorized by the appropriation concerned or other
20 law."

21 SEC. 12. The head of any department may delegate
22 to subordinate officials (1) the power vested in him by
23 other law to take final action on matters pertaining to the
24 employment, direction, and general administration of per-

1 sonnel under his department; (2) the authority vested in
2 him by section 3683 of the Revised Statutes (31 U. S. C.
3 675) to direct the purchase of articles from contingent funds;
4 and (3) the authority vested in him by section 3828, Re-
5 vised Statutes (44 U. S. C. 324), to authorize the publica-
6 tion of advertisements, notices, or proposals.

7 SEC. 13. Appropriations available for the procurement
8 of supplies and material or equipment shall be available for
9 the purchase and maintenance of special clothing and equip-
10 ment for the protection of personnel in the performance of
11 their assigned tasks.

12 SEC. 14. The head of each department is authorized,
13 under such rules and regulations as the President may pre-
14 scribe, to pay cash awards to civilian officers and employees
15 (or to their estates) who make meritorious suggestions which
16 will result in improvement or economy in the operations of
17 his department and which have been adopted for use *and to*
18 *incur necessary expenses for the honorary recognition*
19 *of exceptional or meritorious service: Provided, That no*
20 award shall be paid to any officer or employee for any
21 suggestion which represents a part of the normal require-
22 ments of the duties of his position. With the exception
23 of the War and Navy Departments, the amount of any
24 one award shall not exceed \$1,000 and the total of cash

1 awards paid during any fiscal year in any department shall
2 not exceed \$25,000. Payments may be made from the ap-
3 propriation for the activity primarily benefiting or may be
4 distributed among appropriations for activities benefiting as
5 the head of the department determines. A cash award shall
6 be in addition to the regular compensation of the recipient
7 and the acceptance of such cash award shall constitute an
8 agreement that the use by the United States of the suggestion
9 for which the award is made shall not form the basis of a
10 further claim of any nature upon the United States by him,
11 his heirs or assigns.

12 ~~Effective July 1, 1946, all~~ All other Acts or parts of
13 Acts in conflict with the provisions of this section are hereby
14 repealed.

15 SEC. 15. The head of any department, when authorized
16 in an appropriation or other Act, may procure the temporary
17 (not in excess of one year) or intermittent services of experts
18 or consultants or organizations thereof, including steno-
19 graphic reporting services, by contract, and in such cases
20 such service shall be without regard to the civil-service and
21 classification laws (but *as to agencies subject to the Classi-*
22 *fication Act* at rates not in excess of the per diem
23 equivalent of the highest rate payable under the Classification
24 Act, unless other rates are specifically provided in the appro-

1 priation or other law) and, except in the case of stenographic
2 reporting services by organizations, without regard to section
3 3709, Revised Statutes, as amended by this Act.

4 SEC. 16. (a) Section 5 of the Act of July 16, 1914
5 (5 U. S. C. 78), is amended to read as follows:

6 "SEC. 5. (a) Unless specifically authorized by the ap-
7 propriation concerned or other law, no appropriation shall
8 be expended to purchase or hire passenger motor vehicles
9 for any branch of the Government other than those for the
10 use of the President of the United States, the secretaries to
11 the President, or the heads of the executive departments
12 enumerated in 5 U. S. C. 1.

13 " (b) Excepting appropriations for the Military and
14 Naval Establishments, no appropriation shall be available for
15 the purchase, maintenance, or operation of any aircraft
16 unless specific authority for the purchase, maintenance, or
17 operation thereof has been or is provided in such appro-
18 priation.

19 " (c) Unless otherwise specifically provided, no appro-
20 priation available for any department shall be expended—

21 " (1) to purchase any passenger motor vehicle (ex-
22 clusive of busses, ambulances, and station wagons), at
23 a cost, completely equipped for operation, and includ-
24 ing the value of any vehicle exchanged, in excess of
25 the maximum price therefor, if any, established pur-

1 suant to law by a Government agency and in no event
2 more than such amount as may be specified in an
3 appropriation or other Act, which shall be in addition
4 to the amount required for transportation;

5 “(2) for the maintenance, operation, and repair
6 of any Government-owned passenger motor vehicle or
7 aircraft not used exclusively for official purposes; and
8 ‘official purposes’ shall not include the transportation
9 of officers and employees between their domiciles and
10 places of employment, except in cases of medical officers
11 on out-patient medical service and except in cases of
12 officers and employees engaged in field work the char-
13 acter of whose duties makes such transportation neces-
14 sary and then only as to such latter cases when the
15 same is approved by the head of the department con-
16 cerned. Any officer or employee of the Government
17 who willfully uses or authorizes the use of any Govern-
18 ment-owned passenger motor vehicle or aircraft, or of
19 any passenger motor vehicle or aircraft leased by the
20 Government, for other than official purposes or other-
21 wise violates the provisions of this paragraph shall be
22 suspended from duty by the head of the department con-
23 cerned, without compensation, for not less than one
24 month, and shall be suspended for a longer period or
25 summarily removed from office if circumstances war-

1 rant. The limitations of this paragraph shall not
2 apply to any motor vehicles or aircraft for official use
3 of the President, the heads of the executive departments
4 enumerated in 5 U. S. C. 1, ambassadors, ministers,
5 chargés d'affaires, and other principal diplomatic and
6 consular officials.

7 “(d) In the budgets for the fiscal year 1948 and sub-
8 sequent fiscal years there shall be submitted in detail esti-
9 mates for such necessary appropriations as are intended to
10 be used for purchase or hire of passenger motor vehicles or
11 for purchase, maintenance, or operation of aircraft, specify-
12 ing the sums required, the public purposes for which said
13 conveyances are intended, the number of currently owned
14 conveyances to be continued in use, and the officials or em-
15 ployees by whom all of such conveyances are to be used.

16 “(e) The acquisition of aircraft or passenger motor
17 vehicles by any agency by transfer from another department
18 of the Government shall be considered as a purchase within
19 the meaning hereof.”

20 (b) The second paragraph of section 3 of the Act of
21 March 18, 1904 (33 Stat. 142; 5 U. S. C. 77), is hereby
22 repealed.

23 Section 4 of the Act of February 3, 1905 (33 Stat.
24 687; 5 U. S. C. 77), is hereby amended to read as follows:

1 "All motor vehicles acquired and used for official pur-
2 poses of the departmental service in the District of Columbia
3 shall have conspicuously imprinted thereon at all times the
4 full name of the executive department or other branch of the
5 public service to which the same belong and in the service
6 of which the same are used."

7 SEC. 17. (a) The following statutes or parts of statutes
8 are hereby repealed:

9 Section 1779 of the Revised Statutes (5 U. S. C. 102)
10 reading as follows:

11 "No executive officer, other than the heads of depart-
12 ments, shall apply more than \$30, annually, out of the
13 contingent fund under his control, to pay for newspapers,
14 pamphlets, periodicals, or other books or prints not necessary
15 for the business of his office.";

16 The Act of January 21, 1881 (44 U. S. C. 323) ;

17 Section 3 of the Act of March 15, 1898 (31 U. S. C.
18 678).

19 (b) That portion of the Act of July 31, 1876, (44
20 U. S. C. 321; 19 Stat. 105), reading as follows: "and in
21 no case of advertisement for contracts for the public service
22 shall the same be published in any newspaper published and
23 printed in the District of Columbia unless the supplies or
24 labor covered by such advertisement are to be furnished or

1 performed in said District of Columbia” is hereby amended
2 by adding at the end thereof “or in the adjoining counties
3 of Maryland or Virginia”.

4 (c) That portion of the Act of June 23, 1906 (3
5 U. S. C. 43) reading as follows: “not exceeding \$25,000
6 per annum” is hereby amended to read, “not exceeding
7 \$40,000 per annum”.

8 SEC. 18. The word “department” as used in this Act
9 shall be construed to include independent establishments; *and*
10 other agencies *in or under the executive branch of the*
11 *Government*, wholly owned Government corporations (the
12 transactions of which corporations shall be subject to the
13 authorizations and limitations of this Act, ~~except that section~~
14 ~~9 shall apply to their administrative transactions only~~), and
15 the government of the District of Columbia. The words
16 “continental United States” as used herein shall be construed
17 to mean the forty-eight States and the District of Columbia.
18 The word “Government” shall be construed to include the
19 government of the District of Columbia. The word “appro-
20 priation” shall be construed as including funds made available
21 by legislation under section 104 of the Government Corpora-
22 tion Control Act, approved December 6, 1945.

23 SEC. 19. Sections 1, 3, 4, 5, 7, 14, and 15 of this
24 Act shall not apply to persons whose pay and allowances
25 are established by the Pay Readjustment Act of 1942.

1 SEC. 20. Sections 1 and 2 of this Act shall become
2 effective on the first day of the third calendar month following
3 the enactment hereof.

Passed the House of Representatives June 3, 1946.

Attest:

SOUTH TRIMBLE,

Clerk.

By H. NEWLIN MEGILL.

79TH CONGRESS
2^D SESSION

H. R. 6533

[Report No. 1636]

AN ACT

To authorize certain administrative expenses in the Government service, and for other purposes.

JUNE 4 (legislative day, MARCH 5), 1946

Read twice and referred to the Committee on Expenditures in the Executive Departments

JULY 2, 1946

Reported with amendments

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section
(For Department staff only)

Issued July 18, 1946
For actions of July 17, 1946
79th-2nd, No. 140

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HIGHLIGHTS: Senate passed bills to: Continue Federal administration of Agricultural Conservation program; authorize Swan Island animal-quarantine station; prohibit 1947 cotton-marketing quotas; prohibit 1947 peanut-marketing quotas; provide for future peanut marketing quotas as large as in 1941; provide substantive authority for administrative-expense provisions in Independent Offices Appropriation Act; and include department heads under Retirement Act. Senate discussed and passed over bill to provide for 2 additional Assistant Secretaries of Agriculture. Senate confirmed nominations of Isleib to be Land Bank Commissioner and Littlejohn to be War Assets Administrator. Sen. Wherry and others discussed price situation, subsidies, etc. House received conference report on 3rd deficiency appropriation bill.

SENATE

1. **AGRICULTURAL CONSERVATION PROGRAM.** Passed without amendment H. R. 6459, to continue Federal administration of this program under the Soil Conservation and Domestic Allotment Act until Jan. 1, 1949 (p. 9317). This bill will now be sent to the President.
2. **COTTON QUOTAS.** Passed without amendment H. J. Res. 336, to prohibit cotton marketing quotas in 1947 (pp. 9316-7). This bill will now be sent to the President.
3. **PEANUT QUOTAS.** Passed without amendment H. J. Res. 359, to prohibit peanut marketing quotas in 1947 (p. 9317). This bill will now be sent to the President.
Passed without amendment H. R. 5958, to provide that future peanut quotas shall be at least as large as in 1941 (p. 9317). This bill will now be sent to the President.
4. **ANIMAL QUARANTINE.** Passed without amendment H. J. Res. 364, to provide for establishment of an international animal-quarantine station on Swan Island (pp. 9317-8). This measure will now be sent to the President.
5. **ADMINISTRATIVE EXPENSES.** Passed with amendments H. R. 6533, the Manasco bill to provide substantive authority for various provisions carried in the Independent Offices Appropriation Act (pp. 9315-6). At the request of Chairman Hill of the Committee, rejected amendments (previously reported by the Committee) to provide for uniform travel payments for automobiles and motorcycles whether in official stations or not, and the amendments in Sec. 18, for which a substitute was agreed to which apparently would include GAO and GPO under the bill.

6. BUILDINGS AND GROUNDS. Passed without amendment H. R. 6627, to provide for acquisition of buildings and grounds in foreign countries for use of the U. S. Government (pp. 9301-3). This bill will now be sent to the President.
7. RESEARCH. Passed as reported H. R. 5911, to establish an Office of Naval Research in the Navy Department (pp. 9313-4).
8. FORESTRY. Passed without amendment H. R. 5840, to authorize the Forest Service to exchange 144.42 acres of nonirrigated pasture land in Eagle County, Colo., which they can no longer economically use for 8 acres of irrigated pasture land located near the ranger headquarters (p. 9307). This bill will now be sent to the President.
9. SURPLUS PROPERTY. The Military Affairs Committee reported with amendment H. R. 6702, to clarify the rights of former owners of real property to reacquire such property under the Surplus Property Act of 1944 (S. Rept. 1722)(p. 9298).
10. FOREIGN RELATIONS. The Foreign Relations Committee reported with amendment S. 2432, to enable the State Department more effectively to carry out its responsibilities in the foreign field by means of (a) public dissemination abroad of information about the U. S., its people and policies, and (b) promotion of the interchange of persons, knowledge, and skills between the people of the U. S. and other countries (S. Rept. 1730)(p. 9298).
11. TRANSPORTATION. Passed without amendment H. R. 4180, to amend the Larceny Act so as to include embezzlement and to extend the Act to air transportation (p. 9315). This bill will now be sent to the President.
12. WILDLIFE CONSERVATION. Passed without amendment H. R. 3821, relating to State apportionments under the Pittman-Robertson Act (p. 9317). This bill will now be sent to the President.
13. UNESCO. Passed as reported H. J. Res. 305, to authorize U. S. participation in the United Nations Educational, Scientific, and Cultural Organization (pp. 9321-2).
14. CREDIT UNIONS. Passed as reported H. R. 6372, to make various amendments to the Federal Credit Union Act (p. 9321).
15. RECLAMATION. Discussed and, at the request of Sen. LaFollette, Wis., passed over S. Res. 296, to authorize an investigation of Interior contracts for disposition of water resources of the Central Valley project (p. 9324).
16. WILDLIFE CONSERVATION. At the request of Chairman Thomas of the Agriculture and Forestry Committee, H. R. 6097, which provides for consultation with the Fish and Wildlife Service when a Federal agency impounds or controls waters, was recommitted for further study (p. 9331).
17. WOOL. At the request of Sen. Austin, Vt., passed over S. 2033, the O'Mahoney wool bill (p. 9345).
18. PERSONNEL. Passed without amendment H. R. 3492, to amend the Civil Service Retirement Act so as to prohibit withholding or recovery of moneys on account of certification or payment by a former Federal employee unless there is shown to have been fraud on the part of the employee (pp. 9306-7). This bill will now be sent to the President.
Passed without amendment S. 6083, to amend the Classification Act so as to

The PRESIDING OFFICER. The amendment offered by the Senator from Mississippi will be stated.

The CHIEF CLERK. On page 2, after line 16, it is proposed to insert a new paragraph as follows:

To each of the judges of The Tax Court of the United States, the sum of \$15,000 per year.

Mr. McCARRAN. Mr. President, as I heard the Senator's amendment read, it seemed to me that the words "the sum of" should be changed to read "at the rate of", because then the judges could be paid by the month.

Mr. EASTLAND. Mr. President, the modification suggested by the Senator from Nevada is perfectly agreeable to me.

The PRESIDING OFFICER. The Senator from Mississippi modifies his amendment accordingly.

The amendment, as modified, was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the following salaries shall be paid to the several judges hereinafter mentioned in lieu of the salaries now provided by law, namely:

To the Chief Justice of the United States at the rate of \$25,500 per year.

To each of the Associate Justices of the Supreme Court of the United States at the rate of \$25,000 per year.

To each of the judges of the several circuit courts of appeals, including the chief justice and the associate justices of the United States Court of Appeals for the District of Columbia, at the rate of \$17,500 per year.

To the presiding judge of the United States Court of Customs and Patent Appeals, and to each of the associate judges thereof, at the rate of \$17,500 per year.

To the chief justice of the Court of Claims, and to each of the judges thereof, at the rate of \$17,500 per year.

To each of the judges of the several district courts, including the associate justices of the District Court of the United States for the District of Columbia and the judges in Puerto Rico, Hawaii, and Alaska exercising Federal jurisdiction, at the rate of \$15,000 per year. To the chief justice of the District Court of the United States for the District of Columbia at the rate of \$15,500 per year.

To each of the judges of the United States Customs Court at the rate of \$15,000 per year.

To each of the judges of The Tax Court of the United States, at the rate of \$15,000 per year.

That all of said salaries shall be paid in monthly installments.

SEC. 2. It is authorized that there be appropriated annually such sums as are necessary to carry out the provisions of this act.

SEC. 3. This act shall take effect on the termination of the Stabilization Act of 1942.

LARCENY IN INTERSTATE OR FOREIGN COMMERCE

The bill (H. R. 4180) to amend the law relating to larceny in interstate or foreign commerce, was considered, ordered to a third reading, read the third time, and passed.

CHANGE OF NAME OF CHEMICAL WARFARE SERVICE

The bill (S. 2375) to change the name of the Chemical Warfare Service to the Chemical Corps was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Chemical Warfare Service, created by the act of June 4,

1920 (41 Stat. 768), shall hereafter be known as the Chemical Corps.

ADMINISTRATIVE EXPENSES IN GOVERNMENT DEPARTMENTS

The Senate proceeded to consider the bill (H. R. 6533) to authorize certain administrative expenses in the Government service, and for other purposes, which had been reported from the Committee on Expenditures in the Executive Departments with amendments.

Mr. BALL. Mr. President, may we have an explanation of the bill?

Mr. HILL. Mr. President, this bill was prepared jointly by the General Accounting Office and the Bureau of the Budget. It was passed by the House of Representatives without opposition. It has been reported favorably by the Senate Committee on Expenditures in the Executive Departments.

The purpose of the bill, as the report states, is to eliminate a great deal of Government red tape. We have been operating under statutes some of which were enacted 60 or 65 years ago. In order to meet the conditions of those statutes it has been necessary, in some cases, for the Appropriations Committee to attach legislation to appropriation bills. The chairman of the House Appropriations Committee [Mr. CANNON] stated that he will no longer permit the indulgence of such practice and that substantive legislation will have to be passed. The General Accounting Office and the Bureau of the Budget then went to work to prepare this bill in order that we might put an end to legislating on appropriation bills. The bill deals with the administration of the departments, with the question of mileage, with the question of the movement of goods of employees where they are transferred from one point to another, and with the question of foreign travel.

Mr. BYRD. Are any rates to be increased under the bill?

Mr. HILL. An amendment which the Senate will consider would increase the rate with regard to traveling. However, I may say that, in view of the fact that there is some opposition to the amendment, particularly on the part of the House committee, and in view of the fact that the General Accounting Office and the Bureau of the Budget are very anxious to have the bill passed at this Congress, a request will be made that the amendment be rejected.

Mr. BYRD. Then no increases are provided for in the bill?

Mr. HILL. There is an increase, I may say to the Senator from Virginia, in connection with the matter of poundage allowed a Government employee. That is provided for by an amendment. The Senator will notice on page 2 of the bill that the amount of poundage for household goods and personal effects would be increased from 5,000 pounds to 7,000 pounds, uncrated, and from 6,000 pounds to 8,750 pounds for household goods and personal effects, crated. It has been shown that mechanical equipment, such as refrigerators, and so forth, of the average household bring the poundage up to a figure much greater today than it was in the old days. The amendment was recommended by the

General Accounting Office and by the Bureau of the Budget.

Mr. BYRD. That is the only increase provided for in the bill?

Mr. HILL. It is the only increase provided for in the bill.

I may say to the Senator from Virginia, because I wish to give him complete information, that, under an old statute which was passed in 1842, no department could expend more than \$100 a year for the purchase of newspapers. The provisions of that statute have been removed by legislation in appropriation bills. It was my intention to make sure that that provision was removed so that the Treasury Department could expend more than \$100 a year for subscriptions to newspapers and periodicals, which it felt it should have, by offering an amendment accordingly. There is also the matter of mileage for the Chief Executive, the President of the United States. That increase would be from \$25,000 to \$40,000.

Mr. BYRD. That would be for traveling expenses?

Mr. HILL. It includes traveling expenses. There may be some other items in the provision.

This bill has been very carefully worked out by Mr. Warren, the Comptroller General, and by the Bureau of the Budget. They both feel that the passage of the bill will do much to clarify the situation.

Mr. BYRD. Does the Comptroller General approve the bill?

Mr. HILL. I may say, Mr. President, that this is really the Comptroller General's bill. The Comptroller General wrote the bill, and it was concurred in by the Bureau of the Budget.

The PRESIDING OFFICER. The amendments reported by the committee will be stated.

The first amendment was, in section 1, on page 2, line 6, after the word "exceed", to strike out "five" and insert "seven"; on line 7, after the word "or", to strike out "six" and insert "eight"; and on line 7, after the words "eight thousand", to strike out "two" and insert "seven."

The amendments were agreed to.

The next amendment was, in section 3, page 4, line 17, after the word "engaged", to strike out "in necessary travel", and after the word "official", to strike out "trips from their designated posts of duty or places of service, or 2 cents per mile for the use of privately owned motorcycles or 4 cents per mile for the use of privately owned automobiles when used on official business wholly within the limits of their official stations or places of service" and to insert "business."

Mr. HILL. Mr. President, I ask that the amendments on page 4, in line with what I previously said to the Senator from Virginia, be rejected. I think the amendments are good amendments, but I am afraid they would endanger the passage of the bill, and I think it is very necessary to pass the bill at this session of Congress. I, therefore, ask that the amendments in lines 17 to 22, on page 4, be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were rejected.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, in section 9, page 8, line 12, after the word "or", to strike out "(4) when the services are to be performed by the contractor in person, under Government supervision, and paid for on a time basis" and to insert "(4) when the services are required to be performed by the contractor in person and are (A) of a technical and professional nature or (B) under Government supervision and paid for on a time basis."

The amendment was agreed to.

The next amendment was, on page 8, line 20, before the word "otherwise," to strike out "or unless" and to insert "(2) when"; and after the word "law" and the comma, to strike out "sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising, except when the reasonable value involved in any one case does not exceed \$100" and to insert "or (3) when the reasonable value involved in any one case does not exceed \$100, sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising."

And on page 9, after line 4, to insert:

(c) In the case of wholly owned Government corporations, this section shall apply to their administrative transactions only.

The amendments were agreed to.

Mr. WHERRY. Mr. President, I have been absent from the floor of the Senate for a few moments. I should like to ask the distinguished Senator from Alabama whether the purpose of the bill is to transfer employees from one office to another.

Mr. HILL. No. That is not the purpose of the bill. As I stated earlier, the purpose is to clear up some confusion in existing law with reference to the administration of various bureaus and departments of the Government. As I said, some of the bureaus have been operated under laws which have been on the statute books for 75 years, or even longer. We came across one statute that had been passed in 1842, long before people ever dreamed of automobiles or airplanes, or modern facilities such as these we have today.

The practice has been for the appropriation committees to take care of various matters in appropriation bills which had been provided in these old statutes. A year ago the distinguished chairman of the House Committee on Appropriations, Representative CANNON of Missouri, announced that he was not going to carry legislation in appropriation bills, and that such matters would have to be taken care of in legislative bills. As a result, Mr. Warren, the Comptroller General, with the General Accounting Office, prepared the bill we are considering, and it was concurred in by the Bureau of the Budget.

The purpose of the bill is to eliminate red tape and to endeavor to make the bureaus more efficient. There are two

or three increases provided in the bill, which I have explained to the Senator from Virginia. For instance, we just agreed to an amendment covering the case where an employee of a department or bureau is transferred. The bill permits him to have a little bit more leeway in the movement of his household goods and personal effects than is provided in the basic law as it stands today.

Mr. WHERRY. Is that the main purpose, to provide for one who is temporarily employed?

Mr. HILL. No. We deal with permanent employees who are transferred. If the Treasury Department moves an employee from Washington to an office in Omaha, Nebr., for instance, of course, the Government allows him a certain amount for moving his household goods and personal effects.

Mr. WHERRY. Why is any more authority needed than is now provided?

Mr. HILL. The bill increases a little the amount allowed. If the Senator will look on page 2, line 6, he will find that the present authority will permit a man to move household goods and personal effects, if uncrated, up to 5,000 pounds. The bill increases that to 7,000 pounds. The evidence before the committee showed that in this day and time, with modern refrigerators and other modern equipment to be found in a household, the poundage runs higher than when the original statute was passed.

Mr. WHERRY. Really, the main purpose of the bill is to provide for an employee's transfer from one department to another temporarily or when persons are employed intermittently that they be permitted per diem salaries and also expenses, so that it can be cleared with the Comptroller. Is not that the purpose?

Mr. HILL. Oh, no. The bill is reported not with the idea of dealing with temporary employees who might be on the pay roll on a per diem basis.

Mr. WHERRY. Will the Senator please explain section 5 to me, then?

Mr. HILL. The section to which I was referring was section 2, which deals with permanent employees. Section 5 does deal with the question of per diem employees. Section 5 would enact permanently provisions which have appeared in appropriation acts in recent years, to permit consultants or experts employed intermittently and paid a per diem, when actually employed, to be allowed travel expenses while away from their homes or regular places of business, including a per diem while at the place of their Government employment.

Mr. WHERRY. That is the point I was making.

Mr. HILL. When I referred to the fact that it did not apply to temporary employees, I was speaking of the moving of household goods and personal effects.

Mr. WHERRY. I understand. In the main, the bill provides legislative authority so that the departments can, without coming to the Appropriations Committees and getting clearance, make per diem payments.

Mr. HILL. The Senator is exactly correct. This authority has been carried in appropriation bills, and this bill would eliminate the necessity of having to carry it in such bills.

Mr. WHERRY. Very well. The clerk may proceed to state the amendments.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was in section 12, page 9, line 23, before the word "law", to insert the word "other."

The amendment was agreed to.

The next amendment was, in section 14, page 10, line 17, after the words "for use", to insert "and to incur necessary expenses for the honorary recognition of exceptional or meritorious service"; and on page 11, line 12, at the beginning of the line, to strike out "Effective July 1, 1946, all" and to insert "All."

The amendment was agreed to.

The next amendment was, in section 15, page 11, line 21, after the word "but" in the parenthesis, to insert "as to agencies subject to the Classification Act."

The amendment was agreed to.

The next amendments were in section 18, page 16, line 9, after the word "establishments", to strike out the comma and to insert "and"; on line 10, after the word "agencies", to insert "in or under the executive branch of the Government"; and on line 13, after the word "Act", to strike out "except that section 9 shall apply to their administrative transactions only."

Mr. HILL. Mr. President, I ask that the amendments in section 18 be rejected, and I shall offer an amendment in lieu of them.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were rejected.

Mr. HILL. Mr. President, in lieu of the amendments which have been rejected, I move on page 16, in line 15, to strike out the period after the word "Columbia" and to insert a comma and the words "but shall not include the Senate, House of Representatives, or Office of the Architect of the Capitol, or the officers or employees thereof."

The amendment was agreed to.

Mr. HILL. Mr. President, on page 15 I move to strike out lines 7 to 15, inclusive, and to insert in lieu thereof the following:

Sections 1779 and 192, as amended, of the Revised Statutes (5 U. S. C. 102).

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 6533) was read the third time and passed.

JOHN T. HAYES AND ESTATE OF
EDWARD P. McCORMACK

The bill (H. R. 844) for the relief of John P. Hayes, postmaster, and the estate of Edward P. McCormack, former postmaster, at Albany, N. Y., was considered, ordered to a third reading, read the third time, and passed.

COTTON MARKETING QUOTAS

The joint resolution (H. J. Res. 336) relating to cotton marketing quotas under the Agricultural Adjustment Act

9. FISHERIES. Received the FTC report on cost of production and distribution of fish on the Pacific Coast (p. 10250).
The Commerce Committee reported without amendment S. 2318, to provide for conservation of fishery resources of the Columbia River (S. Rept. 1837) (p. 10250).
10. WAR POWERS. The Judiciary Committee reported with amendments S. 2378, "to amend the First War Powers Act" (S. Rept. 1839) (p. 10250).
11. DAIRY INDUSTRY. The D. C. Committee reported without amendment S. 2479, to amend the act to regulate sale of milk, cream, and ice cream in D. C. (S. Rept. 1850) (p. 10250).
The House D. C. Committee reported a similar bill, H. R. 7114 (H. Rept. 2677) without amendment (pp. 10360-1).

HOUSE - July 26

12. BUILDINGS AND GROUNDS. Rejected H. R. 6917, to provide for site acquisition and design of Federal buildings (pp. 10331-6). Although the vote was 161-128, a two-thirds majority was required to pass the bill, since it was brought up under suspension of the rules.
13. SURPLUS PROPERTY. Passed as reported S. 1636, to amend the Surplus Property Act so as to designate the State Department as the disposal agency for surplus property outside continental U. S. (pp. 10344-6).
14. EDUCATION. Passed as reported S. 619, the vocational-education bill (pp. 10349-51).
As finally passed, the bill authorizes annual appropriations of \$10,000,000 for vocational education in agriculture, including supervision of Future Farmers of America and New Farmers of America; \$8,000,000 for vocational education in home economics; \$8,000,000 for vocational education in trades and industry; and \$2,500,000 for vocational education in distributive occupations. The funds would be apportioned to the States on a matching basis. The Office of Education would administer the bill.
15. ADMINISTRATIVE EXPENSES. Concurred in the amendments of the Senate to H. R. 6533, the Manasco bill to provide substantive authority, with changes, for legislative provisions in the Independent Offices Appropriation Act (p. 10321). This bill will now be sent to the President. (For its provisions see Digests 196 (1945) and 101.)
16. HOUSING. Several members discussed S. 1592, the Wagner-Ellender-Taft housing bill (pp. 10320-3).
17. MINERALS. Agreed to the conference report on S. 1236, to amend the Mineral Leasing Act so as to promote the development of oil and gas on the public domain (pp. 10351-2). The Senate has not yet acted on the report.
18. FARM MACHINERY. Rep. Mundt, S. Dak., discussed the strikes in certain farm-machinery plants, stating that they are a "good reason" for the emergency labor legislation recommended by the President, and opposing exportation of farm machinery during the situation (p. 10321).
19. FOOD CONSERVATION. Rep. Gross, Pa., spoke in support of his "lick your

platter clean" program (p. 10323).

20. BUDGET DIRECTOR. Rep. Doughton, N. C., congratulated President Truman on the appointment of James E. Webb as Budget Director (p. 10318).
21. ECONOMY. Rep. Rich, Pa., spoke in favor of economy in Government expenditures (p. 10323).
22. MERRIMACK VALLEY AUTHORITY. Rep. Lane, Mass., spoke in favor of this proposed project (pp. 10358-9).
23. RUBBER. Received the OWMR report of the Interagency Policy Committee on Rubber (p. 10360).
24. WAR POWERS. The Judiciary Committee reported with amendment H. R. 7147, "to repeal certain statutes relating to the war and emergencies. (H. Rept. 2682) (p. 10361).
25. GRAIN; ALCOHOL. Received various petitions opposing and favoring use of grain for alcohol during the shortage (p. 10361).

BILLS INTRODUCED - July 26

26. PRICE CONTROL. S. J. Res. 182, by Sen. Murray, Mont. (for himself and Sen. Morse, Oreg.), to authorize the Bureau of Labor Statistics to collect price and rent information in additional cities and at more frequent intervals. To Education and Labor Committee. Remarks of author. (pp. 10251-2.)
27. MONOPOLIES. S. 2482, by Sen. Morse, for himself and several other Senators, to establish a consistent and coordinated antimonopoly program, prevent or eliminate monopoly and monopolistic practices, and protect the public interest. To Judiciary Committee. Remarks of author. (pp. 10260-3.)
28. PERSONNEL. S. 2484, by Sen. Green, R. I., to provide annuities under Sec. 1(e) of the Civil Service Retirement Act to certain personnel under 55. To Civil Service Committee. (p. 10251.)
H. R. 7163, by Rep. Forand, R. I., a similar bill. To Civil Service Committee. (p. 10361.)
H. R. 7170, by Rep. Powell, N. Y., to amend the Civil Service Retirement Act so as to provide for return of amounts deducted from compensation in all cases of separation from positions within the purview of the Act. To Civil Service Committee. (p. 10361.)
29. FULL EMPLOYMENT. H. R. 7165, by Rep. LaFollette, Ind., to establish a national program for full employment and production by means of democratically operated production facilities financially assisted by a Federal lending agency. To Banking and Currency Committee. (p. 10361.)
30. MERRIMACK VALLEY AUTHORITY. H. R. 7175, by Rep. Lane, Mass., to establish this Authority. To Rivers and Harbors Committee. (p. 10361.)

ITEMS IN APPENDIX - July 26

31. FARM PROGRAM. Rep. Robertson, N. Dak., inserted the statement of the Committee on Statements, Policies, and Principles of the North Central Association of Commissioners, Directors, and Secretaries of Agriculture, regarding various aspects of the farm program (p. A4731).

this general housing bill, which is so urgently needed to speed up the construction of new homes, can be brought to the floor of the House and passed before Congress adjourns for the summer.

I know that the Banking and Currency Committee held a hearing on the bill this morning and that it will meet again tonight and again tomorrow. That is fine, but I also know that the proponents have not yet concluded their testimony and that there are at least 35 opponents waiting to testify. These hearings cannot possibly be concluded prior to the date tentatively set for adjournment which is August 1. The Senate held lengthy hearings on this bill before passing it with a substantial majority and the volumes of testimony from these hearings are available to any Member who wants more information before voting on this bill. Further hearings by the House committee are unnecessary.

Mr. Speaker, if the Members of this House are sincerely interested in helping to solve our critical housing shortage, they will want this bill to pass before adjournment. Without this bill many veterans will go without badly needed housing. I realize that filing this petition at this late hour is a drastic move but we must have action. I plead with all interested Members to sign discharge petition No. 35 now.

AUTHORIZING CERTAIN ADMINISTRATIVE EXPENSES IN THE GOVERNMENT SERVICE

Mr. MANASCO. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6533) to authorize certain administrative expenses in the Government service, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 6, strike out "five" and insert "seven."

Page 2, line 7, strike out "six" and insert "eight."

Page 2, line 7, strike out "two" and insert "seven."

Page 8, line 12, strike out all after "or", down to and including "basis" in line 14, and insert "(4) when the services are required to be performed by the contractor in person and are (A) of a technical and professional nature or (B) under Government supervision and paid for on a time basis."

Page 8, line 14, after "Except", insert "(1)." Page 8, line 16, strike out "or unless" and insert "(2) when."

Page 8, line 17, strike out all after "law", down to and including "\$100" in line 20, and insert "or (3) when the reasonable value involved in any one case does not exceed \$100, sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising."

"(c) In the case of wholly owned Government corporations, this section shall apply to their administrative transactions only."

Page 10, line 8, after "use", insert "and to incur necessary expenses for the honorary recognition of exceptional or meritorious service."

Page 10, line 25, strike out "Effective July 1, 1946, all" and insert "All."

Page 11, line 9, after "(but", insert "as to agencies subject to the Classification Act."

Page 14, strike out all after line 19, over to and including line 2, on page 15, and insert:

"Sections 1779 and 192, as amended, of the Revised Statutes (5 U. S. C. 102);"

Page 15, line 20, strike out the comma and insert "and."

Page 16, line 1, after "Columbia", insert ", but shall not include the Senate, House of Representatives, or office of the Architect of the Capitol, or the officers or employees thereof."

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain these Senate amendments?

Mr. MANASCO. Most of those amendments read by the Clerk are purely mechanical corrections. This bill was drawn by the General Accounting Office, the attorneys for the Bureau of the Budget, and the House Committee on Expenditures in the Executive Departments. The principal change in the bill as it passed the House and amended by the Senate was to except the Senate and House of Representatives and the Architect of the Capitol from the provisions of this act. We had no intentions of placing the Architect of the Capitol under the provisions of this act, anyhow. It was done for administrative expense in the executive departments.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. JOHNSON of California asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. WILSON asked and was given permission to extend his remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

CANCER

Mr. MILLER of Nebraska. Mr. Speaker, this afternoon the House will consider a bill relating to cancer. We should give this our carefully considered attention. It is estimated by the Vital Statistics Department that one person dies every 3 minutes of cancer; 20 every hour. There are some 17,000,000 people now living who will die of cancer. One out of eight people die of cancer. If that ratio should be applied to the House of Representatives we could expect 60 or 70 Members in this Congress to die of cancer.

Cancer is the second killer in the United States; heart disease being first. In World War II about 300,000 people died of war injuries. From 1942 to 1944

the Vital Statistics Department says that more than 500,000 Americans died of cancer. So it is important to give careful consideration to this bill. I do feel that the bill should be amended to place the money and the work in the United States Public Health Service. It should not be under the direction of the President—it requires no new agencies.

PERMISSION TO ADDRESS THE HOUSE

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

[Mr. ELLIS addressed the House. His remarks appear in the Appendix of today's RECORD.]

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

FARM MACHINERY SHORTAGE

Mr. MUNDT. Mr. Speaker, this morning I received a telegram from Mr. Oscar Forsheim, president of the South Dakota Farmers Union, calling attention to the serious farm machinery shortage out there in our bumper-crop area of America. Mr. Forsheim says this was caused in part due to the fact that the farm-equipment plants have been closed down by strike for some time, and calls on the President of the United States to take whatever action is necessary to get those plants open. I want to join with him in his request and suggestion. This appears to be one more good reason for passage of the President's emergency strike legislation, support for which the President now seems strangely but effectively to be discouraging.

Another thing the President of the United States can do, Mr. Speaker. In the Department of Agriculture's news letter for July 24 it quotes the International Harvester Co. as filing a request with the Civilian Production Administration for relief from the order requiring them to export 14,500 American-built tractors largely to Russian-dominated countries. The President can issue an order canceling these scheduled exports.

The American farmers need these tractors and they need this machinery. If the President of the United States will take action to get these strike-bound plants open or to take them over to get them operating, if that is necessary to produce essential farm machinery, and if this administration will stop exporting farm machinery abroad, we can harvest America's bumper crop and still further expand our program of contributions to the bread basket of the world.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in two instances and to include in each certain printed excerpts.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include certain newspaper excerpts.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

WAGNER-ELLENDER-TAFT BILL

Mr. SMITH of Ohio. Mr. Speaker, the chairman of the Committee on Banking and Currency has just had the Clerk read a letter from the President in which the President urged the consideration by the House of the Wagner-Ellender-Taft bill. Following the reading of this letter, the chairman of that committee, the gentleman from Kentucky [Mr. SPENCE], made the statement that dilatory tactics had been used to prevent this committee from carrying on its work in connection with this bill. The facts are available to all who may be interested. No dilatory tactics have been used to prevent the committee from considering this bill. We are concluding a very busy session. Many of us feel that our attention ought to be given to the many and important legislative proposals that are being considered in the final rush.

Furthermore, this is the first time the President has said anything to the committee about this bill. I asked the chairman of the committee, the gentleman from Kentucky [Mr. SPENCE], whether he had any previous information or instruction from the President respecting the urgency of consideration by the House of this measure prior to adjournment. He replied in the negative.

Why, if it so important that this measure be taken up before adjournment, has the President waited till this late hour to show particular concern in it?

PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter from the War Department.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, processors and distributors of milk and milk products supplying the Army, Navy, and Marine Corps have been supplying on period contracts and under competitive bidding.

Last month bids for contracts to begin June 17 and July 1 were predicated on the then prevailing Government subsidy of 2 cents per quart for milk. The demise of OPA on July 1 and the decontrol of dairy products in the new OPA law as of today place undue financial hardship on the dairy industry. Today I am introducing a resolution that seeks to provide proper legal steps to allow a just and reasonable renegotiation of these contracts.

Under leave by the Speaker, I include a letter from the Director of Service, Sup-

ply and Procurement for the Armed Forces, which is self-explanatory:

JULY 24, 1946.

Mr. B. F. CASTLE,
President, Milk Industry Foundation,
Washington, D. C.

DEAR Mr. CASTLE: This is with reference to your telephone conversation with Col. M. F. Hass on Tuesday morning, July 9, 1946, concerning certain Army contracts covering the procurement of milk. I understand, on the basis of that conversation, that certain suppliers who entered into contracts to furnish milk to the Army on a fixed-price basis desire a revision in their contract prices as the result of certain recent actions by the Office of Price Administration which have resulted in an increase in the price of milk.

I have had the matter looked into thoroughly, and I regret that there appears to be no legal authority which would permit the War Department, in the absence of adequate additional legal consideration, either to revise the contract prices upward or to cancel the contracts in question, as you suggested, and enter into new contracts with the suppliers upon the basis of revised prices. The procurement was effected and the contracts were awarded in the usual fashion and, once awarded and accepted by the contractors, are as binding upon the War Department as they are on the contractors except as the terms included in the contracts may permit other action. Accordingly, I regret that there would appear to be no basis upon which the War Department could justify action of the nature you suggested in your conversation with Colonel Hass.

Sincerely yours,

LER. LUTES,
Lieutenant General, GSC, Director of
Service, Supply and Procurement.

PERMISSION TO ADDRESS THE HOUSE

Miss SUMNER of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

HOUSING

Miss SUMNER of Illinois. Mr. Speaker, somebody should tell the President the facts of life about housing. This Congress has voted \$600,000,000 for veterans housing, and it is getting to be a joke in this Nation that there are houses started all over this country, and they lack roofs or they lack all sorts of things, so they cannot be finished. The reason is that they have started too much, and the OPA has held down the ceilings so that they cannot get parts, lumber, brick, and all the rest of the things they need. Instead of changing his OPA rules, the President comes in here and asks for a slum-clearance program to do more of the same damage.

PERMISSION TO ADDRESS THE HOUSE

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

HON. CLARENCE E. HANCOCK

Mr. REED of New York. Mr. Speaker, I, for one, deeply regret that several of the most prominent and most valuable

Members of this House have decided not to be candidates for reelection. I shall confine my remarks at the present time to one of my colleagues from New York State. I think I am well within the facts when I say that Representative CLARENCE E. HANCOCK, of the Thirty-sixth Congressional District of New York State, has been one of the most valuable Members of this House. He has been an active and highly useful member of the Committee on the Judiciary. His fine legal talents have meant much in formulating sound, constructive legislation not only for his district but for the great Empire State of New York and for the Nation as a whole. It is deeply regrettable that he has decided not to run again, but inasmuch as he has so decided I want him to know that, speaking for myself, and I believe for my delegation, we are proud of his record, and we wish him well in whatever activity he may engage from now on.

EXTENSION OF REMARKS

Mr. GWYNNE of Iowa asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. GRAHAM asked and was given permission to extend his remarks in the Appendix of the RECORD and include a short editorial from the Cleveland Plain Dealer.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a report from the committee on statements, policies, and principles of the North Central Association of Commissioners of Agriculture.

Mr. CHIPERFIELD asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. MATHEWS asked and was given permission to extend his remarks in the RECORD.

Mr. PITTENGER asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances, in one to include a copy of a bill, in the second a letter which he received, and in the third a newspaper article and other material.

PERMISSION TO ADDRESS THE HOUSE

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CANCER

Mr. PITTENGER. Mr. Speaker, I have listened with a great deal of interest to the remarks of our distinguished colleague the gentleman from Nebraska, Dr. MILLER, with reference to the bill which has been introduced by the distinguished gentleman from West Virginia [Mr. NEELY] on the subject of cancer. I hope before the House adjourns that that legislation is passed. I think it will be a monument that will stand for all time testifying to the foresight and statesmanship of the Members of this body.

The purpose of the bill is to further the study of cancer in an effort to discover

Aug 2

[PUBLIC LAW 600—79TH CONGRESS]

[CHAPTER 744—2D SESSION]

[H. R. 6533]

AN ACT

To authorize certain administrative expenses in the Government service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) under such regulations as the President may prescribe, any civilian officer or employee of the Government who, in the interest of the Government, is transferred from one official station to another, including transfer from one department to another, for permanent duty, shall, except as otherwise provided herein, when authorized, in the order directing the travel, by such subordinate official or officials of the department concerned as the head thereof may designate for the purpose, be allowed and paid from Government funds the expenses of travel of himself and the expenses of transportation of his immediate family (or a commutation thereof in accordance with the Act of February 14, 1931) and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects (not to exceed seven thousand pounds if uncrated or eight thousand seven hundred and fifty pounds if crated or the equivalent thereof when transportation charges are based on cubic measurement): *Provided*, That advances of funds may be made to the officer or employee in accordance with said regulations under the same safeguards as are required under the Subsistence Expense Act of 1926 (5 U. S. C. 828): *Provided further*, That the allowances herein authorized shall not be applicable to civilian employees of the War Department and their dependents when transferred under the provisions of section 3 of the Act of June 5, 1942 (50 U. S. C. 763), nor to officers and employees of the Foreign Service, Department of State: *Provided further*, That no part of such expenses (including those of officers and employees of the Foreign Service, Department of State) shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee or at his request: *Provided further*, That in case of transfer from one department to another such expenses shall be payable from the funds of the department to which the officer or employee is transferred.

(b) In lieu of the payment of actual expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects, in the case of such transfers between points in continental United States, reimbursement shall be made to the officer or employee on a commuted basis (not to exceed the amount which would be allowable for the authorized weight allowance) at such rates per one hundred pounds as may be fixed by zones in regulations prescribed by the President.

(c) Funds available for travel expenses of civilian officers and employees shall also be available for the expenses of the transportation of their immediate families, and funds available for the transportation of things shall also be available for the transportation of household goods and effects, as authorized by this Act.

SEC. 2. The Act of October 10, 1940 (5 U. S. C. 73c-1), relating to allowances for the transportation of household goods, section 5 of the Act of March 4, 1923, as amended (19 U. S. C. 48), relating to traveling and subsistence expenses of customs officers and employees, the first sentence of section 645 (a) of the Tariff Act of 1930 (19 U. S. C. 1645 (a)), relating to traveling and subsistence expenses of the families of such officers and employees, and other Acts relating to allowances to civilian officers and employees in the executive branch of the Government (except those mentioned in the second proviso clause of section 1 (a) of this Act) on transfer from one official station to another for permanent duty, are hereby repealed.

SEC. 3. The Act of February 14, 1931 (5 U. S. C. 73a), as amended, is further amended to read as follows:

"Civilian officers or employees or others rendering service to the Government shall, under regulations prescribed by the President, and unless otherwise provided in the appropriation concerned or other law, and whenever such mode of transportation is authorized or approved as more advantageous to the Government, be paid in lieu of actual expenses of transportation not to exceed 2 cents per mile for the use of privately owned motorcycles or 5 cents per mile for the use of privately owned automobiles or airplanes when engaged in necessary travel on official trips from their designated posts of duty or places of service, or 2 cents per mile for the use of privately owned motorcycles or 4 cents per mile for the use of privately owned automobiles when used on official business wholly within the limits of their official stations or places of service. In addition to the mileage allowances provided for in this section, there may be allowed reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls."

SEC. 4. Until June 30, 1948, when authorized in an appropriation or other Act, appropriations available for travel expenses shall be available for the payment, without regard to the rates authorized by the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), of per diem allowances in lieu of subsistence expenses to civilian officers and employees of departments while traveling on official business outside continental United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department concerned or by such subordinates as he may designate for the purpose, but shall in no case exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed.

SEC. 5. Persons in the Government service employed intermittently as consultants or experts and receiving compensation on a per diem when actually employed basis may be allowed travel expenses while away from their homes or regular places of business, including per diem in lieu of subsistence while at place of such employment, in accordance with the Standardized Government Travel Regulations, Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), and the Act of February 14, 1931, as amended by this Act, and persons serving without compensation or at \$1 per annum may be allowed,

while away from their homes or regular places of business, transportation in accordance with said regulations and said Act of February 14, 1931, as so amended, and not to exceed \$10 per diem in lieu of subsistence en route and at place of such service or employment unless a higher rate is specifically provided in an appropriation or other Act.

SEC. 6. Section 10 of the Act of March 3, 1933 (5 U. S. C. 73b), is hereby amended to read as follows:

"SEC. 10. Whenever by or under authority of law actual expenses for transportation may be allowed, such allowances shall not exceed the lowest first-class rate by the transportation facility used in such transportation unless it is certified, in accordance with regulations prescribed by the President, that lowest first-class accommodations are not available or that use of a compartment or such other accommodations as may be authorized or approved by the head of the agency concerned or such subordinates as he may designate, is required for purposes of security."

SEC. 7. Appropriations for the departments shall be available, in accordance with regulations prescribed by the President, for expenses of travel of new appointees, expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects from places of actual residence at time of appointment to places of employment outside continental United States, and for such expenses on return of employees from their posts of duty outside continental United States to the places of their actual residence at time of assignment to duty outside the United States: *Provided*, That such expenses shall not be allowed new appointees unless and until the person selected for appointment shall agree in writing to remain in the Government service for the twelve months following his appointment, unless separated for reasons beyond his control. In case of a violation of such agreement any moneys expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States. This section shall not apply to appropriations for the Foreign Service, State Department.

SEC. 8. In purchasing motor-propelled or animal-drawn vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, or any other article or item the exchange of which is authorized by law, the head of any department or his duly authorized representative may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor: *Provided*, That any transaction carried out under the authority of this section shall be evidenced in writing.

SEC. 9. (a) Section 3709 of the Revised Statutes of the United States is hereby amended to read as follows:

"Unless otherwise provided in the appropriation concerned or other law, purchases and contracts for supplies or services for the Government may be made or entered into only after advertising a sufficient time previously for proposals, except (1) when the amount involved in any one case does not exceed \$100, (2) when the public exigencies require the immediate delivery of the articles or performance of the service, (3) when only one source of supply is available and the Government purchasing or contracting officer shall so certify, or (4) when

the services are required to be performed by the contractor in person and are (A) of a technical and professional nature or (B) under Government supervision and paid for on a time basis. Except (1) as authorized by section 29 of the Surplus Property Act of 1944 (50 U. S. C. App. 1638), (2) when otherwise authorized by law, or (3) when the reasonable value involved in any one case does not exceed \$100, sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising."

(b) Exemptions from section 3709, Revised Statutes, in other law in amounts of \$100 or less are hereby repealed.

(c) In the case of wholly owned Government corporations, this section shall apply to their administrative transactions only.

SEC. 10. Whenever a department is authorized by law to hold hearings and to subpoena witnesses for appearance at said hearings, witnesses summoned to and attending such hearings shall be entitled to the same fees and mileage, or expenses in the case of Government officers and employees, as provided by law for witnesses attending in the United States courts.

SEC. 11. The first sentence of section 3648 of the Revised Statutes (31 U. S. C. 529) is hereby amended to read as follows:

"No advance of public money shall be made in any case unless authorized by the appropriation concerned or other law."

SEC. 12. The head of any department may delegate to subordinate officials (1) the power vested in him by law to take final action on matters pertaining to the employment, direction, and general administration of personnel under his department; (2) the authority vested in him by section 3683 of the Revised Statutes (31 U. S. C. 675) to direct the purchase of articles from contingent funds; and (3) the authority vested in him by section 3828, Revised Statutes (44 U. S. C. 324), to authorize the publication of advertisements, notices or proposals.

SEC. 13. Appropriations available for the procurement of supplies and material or equipment shall be available for the purchase and maintenance of special clothing and equipment for the protection of personnel in the performance of their assigned tasks.

SEC. 14. The head of each department is authorized, under such rules and regulations as the President may prescribe, to pay cash awards to civilian officers and employees (or to their estates) who make meritorious suggestions which will result in improvement or economy in the operations of his department and which have been adopted for use and to incur necessary expenses for the honorary recognition of exceptional or meritorious service: *Provided*, That no award shall be paid to any officer or employee for any suggestion which represents a part of the normal requirements of the duties of his position. With the exception of the War and Navy Departments, the amount of any one award shall not exceed \$1,000 and the total of cash awards paid during any fiscal year in any department shall not exceed \$25,000. Payments may be made from the appropriation for the activity primarily benefiting or may be distributed among appropriations for activities benefiting as the head of the department determines. A cash award shall be in addition to the regular compensation of the recipient and the acceptance of such cash award shall constitute an agreement that the use by the United States of the suggestion for which the award is made

shall not form the basis of a further claim of any nature upon the United States by him, his heirs or assigns.

All other Acts or parts of Acts in conflict with the provisions of this section are hereby repealed.

SEC. 15. The head of any department, when authorized in an appropriation or other Act, may procure the temporary (not in excess of one year) or intermittent services of experts or consultants or organizations thereof, including stenographic reporting services, by contract, and in such cases such service shall be without regard to the civil-service and classification laws (but as to agencies subject to the Classification Act at rates not in excess of the per diem equivalent of the highest rate payable under the Classification Act, unless other rates are specifically provided in the appropriation or other law) and, except in the case of stenographic reporting services by organizations, without regard to section 3709, Revised Statutes, as amended by this Act.

SEC. 16. (a) Section 5 of the Act of July 16, 1914 (5 U. S. C. 78), is amended to read as follows:

"SEC. 5. (a) Unless specifically authorized by the appropriation concerned or other law, no appropriation shall be expended to purchase or hire passenger motor vehicles for any branch of the Government other than those for the use of the President of the United States, the secretaries to the President, or the heads of the executive departments enumerated in 5 U. S. C. 1.

"(b) Excepting appropriations for the Military and Naval Establishments, no appropriation shall be available for the purchase, maintenance, or operation of any aircraft unless specific authority for the purchase, maintenance, or operation thereof has been or is provided in such appropriation.

"(c) Unless otherwise specifically provided, no appropriation available for any department shall be expended—

"(1) to purchase any passenger motor vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of the maximum price therefor, if any, established pursuant to law by a Government agency and in no event more than such amount as may be specified in an appropriation or other Act, which shall be in addition to the amount required for transportation;

"(2) for the maintenance, operation, and repair of any Government-owned passenger motor vehicle or aircraft not used exclusively for official purposes; and 'official purposes' shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department concerned. Any officer or employee of the Government who willfully uses or authorizes the use of any Government-owned passenger motor vehicle or aircraft, or of any passenger motor vehicle or aircraft leased by the

Government, for other than official purposes or otherwise violates the provisions of this paragraph shall be suspended from duty by the head of the department concerned, without compensation, for not less than one month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant. The limitations of this paragraph shall not apply to any motor vehicles or aircraft for official use of the President, the heads of the executive departments enumerated in 5 U. S. C. 1, ambassadors, ministers, *chargés d'affaires*, and other principal diplomatic and consular officials.

“(d) In the budgets for the fiscal year 1948 and subsequent fiscal years there shall be submitted in detail estimates for such necessary appropriations, as are intended to be used for purchase or hire of passenger motor vehicles or for purchase, maintenance, or operation of aircraft, specifying the sums required, the public purposes for which said conveyances are intended, the number of currently owned conveyances to be continued in use, and the officials or employees by whom all of such conveyances are to be used.

“(e) The acquisition of aircraft or passenger motor vehicles by any agency by transfer from another department of the Government shall be considered as a purchase within the meaning hereof.”

(b) The second paragraph of section 3 of the Act of March 18, 1904 (33 Stat. 142; 5 U. S. C. 77), is hereby repealed.

Section 4 of the Act of February 3, 1905 (33 Stat. 687; 5 U. S. C. 77), is hereby amended to read as follows:

“All motor vehicles acquired and used for official purposes of the departmental service in the District of Columbia shall have conspicuously imprinted thereon at all times the full name of the executive department or other branch of the public service to which the same belong and in the service of which the same are used.”

SEC. 17. (a) The following statutes or parts of statutes are hereby repealed:

Sections 1779 and 192, as amended, of the Revised Statutes (5 U. S. C. 102);

The Act of January 21, 1881 (44 U. S. C. 323);

Section 3 of the Act of March 15, 1898 (31 U. S. C. 678).

(b) That portion of the Act of July 31, 1876, (44 U. S. C. 321; 19 Stat. 105), reading as follows: “and in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia” is hereby amended by adding at the end thereof “or in the adjoining counties of Maryland or Virginia”.

(c) That portion of the Act of June 23, 1906 (3 U. S. C. 43) reading as follows: “not exceeding \$25,000 per annum” is hereby amended to read, “not exceeding \$40,000 per annum”.

SEC. 18. The word “department” as used in this Act shall be construed to include independent establishments, other agencies, wholly owned Government corporations (the transactions of which corporations shall be subject to the authorizations and limitations of this Act, except that section 9 shall apply to their administrative transactions only), and the government of the District of Columbia, but

shall not include the Senate, House of Representatives, or office of the Architect of the Capitol, or the officers or employees thereof. The words "continental United States" as used herein shall be construed to mean the forty-eight States and the District of Columbia. The word "Government" shall be construed to include the government of the District of Columbia. The word "appropriation" shall be construed as including funds made available by legislation under section 104 of the Government Corporation Control Act, approved December 6, 1945.

SEC. 19. Sections 1, 3, 4, 5, 7, 14, and 15 of this Act shall not apply to persons whose pay and allowances are established by the Pay Readjustment Act of 1942.

SEC. 20. Sections 1 and 2 of this Act shall become effective on the first day of the third calendar month following the enactment hereof.

Approved August 2, 1946.

